

Desai, Sudhir

From: Herron, Tarsha
Sent: Wednesday, October 28, 2015 4:34 PM
To: Vantil, Barbara; Desai, Sudhir
Cc: Kuefler, Patrick
Subject: FW: EPA-R5-2016-000712 - request for clarification
Attachments: 2016-000712 incoming.pdf

I've attached the FOIA pertaining to this email. Let me know how I can assist. Welcome back Barb.....

From: Jackson, Mery
Sent: Wednesday, October 28, 2015 1:35 PM
To: Herron, Tarsha
Subject: FW: EPA-R5-2016-000712 - request for clarification

From: Jessica Wheatley [mailto:Wheatley.Jessica@epamail.epa.gov] On Behalf Of Group R5Foia
Sent: Wednesday, October 28, 2015 1:34 PM
To: Gupta, Kaushal
Cc: Smiley, Cassandra; Jackson, Mery; Hubbard-Greene, Penny
Subject: Fw: EPA-R5-2016-000712 - request for clarification

Kaushal,

Mr. Duncan responded it seems this one should go to Water possibly ORC.

----- Forwarded by Jessica Wheatley/R5/USEPA/US on 10/28/2015 01:31 PM -----

From: <rduncan1@falcon1.net<mailto:rduncan1@falcon1.net>>
To: Group R5Foia/R5/USEPA/US@EPA,
Date: 10/28/2015 09:00 AM
Subject: Re: EPA-R5-2016-000712 - request for clarification

Dear Mr. Gupta:

The following individuals have corresponded with Jane Murray.

Sudhir Desai, Water Enforcement and Compliance

Barbara R. VanTil, Chief, Water Enforcement and Compliance.

Gary Prichard, Region V, Office of Regional Counsel.

Thank you,

Richard Duncan, P.E.

Director of Wastewater and Flood Defense City of Portsmouth

740-353-0241 Office

--- Original message ---

>Date: Tue, 27 Oct 2015 17:01:52 -0400 (EDT)

>From: "r5foia@epa.gov<mailto:r5foia@epa.gov>"

><r5foia@epa.gov<mailto:r5foia@epa.gov>>

>Subject: EPA-R5-2016-000712 - request for clarification

>To: "rduncan1@falcon1.net<mailto:rduncan1@falcon1.net>"

><rduncan1@falcon1.net<mailto:rduncan1@falcon1.net>>

>

> Dear Mr. Duncan:

>

> We need additional information to carry out your
> Freedom of Information Act request in which you
> asked for "Copies of all correspondence (letters,
> emails, etc.) received by EPA from Jane Murray, 1920
> Dorman Drive, Portsmouth, Ohio, and all responses to
> Jane Murray, regarding the City Portsmouth, during
> the period, 1/1/14 to date (10/24/15)."

>

> Please provide additional information such as the
> names of the EPA Region 5 staff that would have
> received the correspondence, the Region 5 Divisions
> (Air and Radiation, Land and Chemicals,
> Superfund, or Water) involved, or the environmental
> issues addressed in the correspondence.

>

> Please reply to r5foia@epa.gov<mailto:r5foia@epa.gov> by Monday, November
> 2, 2015. If we do not hear from you by then, your
> request will be cancelled and no further action will
> be taken.

>

> Kaushal Gupta

>

> FOIA Specialist

Task Details**Request Status :** Assignment Determination **Task Due Date :** 11/27/2015

Submitted

Evaluation

Assignment

Processing

Closed

Request Details

Tracking Number : EPA-R5-2016-000712
Submitted Date : 10/26/2015
Requester : Richard D. Duncan
Perfected Date : 10/28/2015
Organization : City of Portsmouth, Ohio
Last Assigned Date : 10/28/2015
Requester Has Account : Yes
Fee Limit : \$25.00
Email Address : rduncan1@falcon1.net
Request Track : Simple
Phone Number : 740-353-0241
Due Date : 11/27/2015
Fax Number : N/A
Assigned To : Jessica Wheatley (Region 5)
Address : 2040 Charles Street
Last Assigned By : Joseph Winfrey (Region 5)
City : Portsmouth
State/Province : OH
Zip Code/Postal Code : 45662

Task Details

Task Type : Request Detail
Assigned To : Water Enforcement
Compliance & Assurance
Due Date : 11/27/2015
Last Assigned Date : 10/28/2015
Task Submitted Date : 10/28/2015
Last Assigned By : Mery Jackson (Water Division)
Description : WECA lead. WECA have had communications with jane murray. (click one comments).
Comments :

Submission Details

Case File

Admin Cost

Assigned Tasks

Comments (1)

Review

Request Handling

Requester Info Available to Yes
the Public :
Request Track : Simple
Fee Category : Other
Fee Waiver Requested: Yes
Request Perfected : Yes
Perfected Date : 10/28/2015
Fee Waiver Status: Pending Decision
Acknowledgement Sent Date:
Expedited Processing No
Unusual Circumstances ? No
Requested :
Expedited Processing Status : N/A

Request Description

Short Description : Copies of all correspondence (letters, emails, etc.) received by EPA from Jane Murray, 1920 Dorman Drive, Portsmouth, Ohio, and all responses to Jane Murray, regarding the City Portsmouth, during the period, 1/1/14 to date (10/24/15).

Copies of all correspondence (letters, emails, etc.) received by EPA from Jane Murray, 1920 Dorman Drive, Portsmouth, Ohio, and all responses to Jane Murray, regarding the City Portsmouth, during the period, 1/1/14 to date (10/24/15).

Description Available to the Yes
Public :

Has Description Been ☐
Modified?

Attached Supporting Files

Attachments Available to the No
Public : No supporting files have been added.

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, January 15, 2014 9:30 AM
To: Desai, Sudhir
Cc: Russell Martin; Maraldo, Dean; scott.foster@epa.state.oh.us; Steve Sturgill; Councilmember Meadows; Kevin E Johnson; Fred Snell; Dave Schuetz; Larry Essman; Bob Forrey
Subject: new SOMC parking lot

Good morning Sudhir:

Larry Essman brought to everyone's attention that SOMC (the hospital on the hill above us) built a new parking lot in November/December. I finally had time to drive it. I saw NO drainage controls at all - standard drains as seen in other parking lots.

Could you please have this investigated? And, if they did not do it properly, have them tear out and retrofit the lot?

As all we property owners have been required to retrofit our houses built in the 20s, 30s, 40s, 50s, 60s, so should the hospital. We appreciate your immediate attention to this serious issue. Let's hope I am in error.

Best regards,

Jane

M. Jane Murray

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Thursday, January 30, 2014 12:35 PM
To: Wolfe, Aaron
Cc: Desai, Sudhir; Steve Sturgill; Councilmember Meadows; Kevin E Johnson; Kevin E Johnson; Larry Essman; Ruth Marasek; Fred Snell; Sandi Lawyer; Desai, Sudhir; Larry Essman; Sue Zoellner; Steve Canter; Donna Voorheis; scott.foster@epa.state.oh.us; Vantil, Barbara; Rich Noel; Joe Griffith; Brenda McCane; Maraldo, Dean
Subject: Re: SOMC hospital Ohio EPA NPDES Storm Water permit concerns

Precisely, Aaron. I knew it should not have been referred but handled by other OH EPA officials within the context of the CSO problems we have been asking help for since 1997!!!!

So, now, I ask the U.S. EPA Enforcement officials to require documents from the city that shows the building permits, drainage prevention plans, etc. for this SOMC project.

Please forward copies to me and I'll make sure area residents and our concerned councilmembers receive the same.

Regards,

Jane

M. Jane Murray

On Thursday, January 30, 2014 11:10 AM, "Wolfe, Aaron" <Aaron.Wolfe@epa.ohio.gov> wrote:

Hello Jane, I was forwarded your concerns about the lack of storm water controls around the SOMC hospital. In general, if a construction project is located within a combined sewer area then that project is exempt from having to seek coverage under the NPDES general construction storm water permit. It is my understanding that this project falls within this category. In this case the City of Portsmouth would have the ability and should be protecting its own interests concerning the protection of their combined sewer system. If rocks, grit, sand, mud or additional water is introduced into the system the frequency of problems associated with the combined sewer system may increase. Considering the situation at hand I have no authority given the rules I work under in the Storm Water program.

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Tuesday, April 29, 2014 9:26 AM
To: aaron.pennington@epa.state.oh.us
Cc: Jennifer.Witte@epa.state.oh.us; Desai, Sudhir; Larry Essman; Ruth Marasek; Kathy Lane; Brenda McCane; Alan Barlow; Bob Forrey; Austin Leedom; Harald Daub
fritzdaub@roadrunner.com; Mollette
Subject: Portsmouth's Permit to Install

Hi Aaron:

I'm sorry but I did not copy you on yesterday's email to Director Tinka Hyde. I'll forward that next.

I just learned that the city submitted a permit to install application last week. Could you please tell me the date of submission? Also, did you approve a revised storage plan on Grandview Ave?

We residents are really confused and concerned that the latest revision may not be sufficient in capacity to address our CSO problems though we certainly think it preferable to go underground rather than above ground.

Thank you very much.

Jane

M. Jane Murray

<http://wegottroublerighthereinrivercity.blogspot.com/>

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Thursday, May 08, 2014 11:15 AM
To: Hyde, Tinka; greg.smith@epa.state.oh.us; Jennifer.Witte@epa.state.oh.us; Jill.DelGreco@OhioAttorneyGeneral.gov; Maraldo, Dean
Cc: Larry Essman; Ruth Marasek; Brenda McCane; Donna Voorheis; Sue Zoellner; Alan Barlow; Bob Forrey; Mollette; Harald Daub; Harald Daub fritzdaub@roadrunner.com; Austin Leedom; Kathy Lane; Steve Sturgill; Kevin W.W. Johnson; Kevin E Johnson; Councilmember Meadows; Larry Essman; Jeff Dempsey; Harald Daub; Janice Shanks; Tom Lowe; Sharon Bender; Ray Mitchell; Alan Barlow; Mollette; Jim Wilson; Darlene Daub; Austin Leedom; Jerry Conkle; Bob Forrey; Linda Switzer; Rich Noel
Subject: Mr. Allen's letter dated today

Good afternoon Director Hyde:

As you can well understand, we lay people have difficulty understanding many of the technical issues associated with your agency's actions. Could you please check the status of a response to my initial communication as well as the response provided today by Portsmouth's city manager?

We are most anxious regarding this project. It has now been since 1997 (17 years!) since any relief given to many of my neighbors and now eight years for myself and others who have become affected owing to the continued and total lack of response by the city to state/federal communications and requirements. Instead, the city continued to allow development at the hospital, retirement center and other large, impervious surface development without appropriate storm water controls.

We are the ones to suffer, continue to be threatened, and required to take out our foundation drains (leading to additional seepage into our homes from neighbors trying to comply) when others have not and/or not been required to comply...contrary to law and constitutional protections. Unfortunately, that is what we face in this town.

We look forward to your response.

Thank you.

Jane
M. Jane Murray

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Friday, June 13, 2014 12:11 PM
To: Maraldo, Dean; Mccarthy, Gina; Larry.Reeder@epa.ohio.gov; Prichard, Gary; Desai, Sudhir
Cc: Hedman, Susan; Hyde, Tinka; Vantil, Barbara; Larry Essman; Councilmember Meadows; Kevin W.W. Johnson; Rich Saddler; Kevin E Johnson; Steve Sturgill; Ruth Marasek; Brenda McCane; Donna Voorheis; Vicci Felts; greg.brooks@mail.house.gov; Kevin Hoggatt; Wintta Woldemariam; Aaron.Wolfe@epa.ohio.gov; Fred Snell; Jennifer.Witte@epa.state.oh.us; Bob Forrey; Alan Barlow; Harald Daub; Harald Daub fritzdaub@roadrunner.com; Mollette; Austin Leedom; Rich Noel; Sandi Lawyer
Subject: Another Sewage Backup on Grandview This Week

Dean:

Please see the following email sent by Mr. Larry Essman regarding another sewage backup on Grandview Avenue Tuesday night.

In your last email dated May 12, 2014, you state that you are expecting the city of Portsmouth to answer questions regarding their revised plans on an underground storage facility.

1. When will you have answers from the city?
2. You will see in the links below that this has been on-going since 1997 and hit epidemic proportions on June 4, 2008. We feel the OH and U.S. EPAs have failed us miserably. Mr. Sudhir Desai told us at a public meeting in August 2008 that your predecessor, Mr. Thomas Bramsher, made the basement sewage backup a priority.
3. Please re-assign Barbara VanTil from the Portsmouth case. She promised us at a meeting December 5 or 7, 2011 that she would get the revised plans from the city implemented "soonest". We believe Ms. VanTil has been flattered or otherwise misdirected by Rick Duncan and/or the consultants from Strand Associates. Prior to her taking over the Portsmouth case, Mr. Sudhir Desai and Mr. Thomas Bramsher of your office made huge strides.
4. The U.S. EPA approved the city's revised plan in April 2011 as submitted October 2010. The \$1.4 Million relief line would have been in place and this week's problems would not have occurred.

It has now been 5 years since we got U.S. and OH EPA certainties that you would make Portsmouth comply.

The millions of untreated sewage going into the OH River almost daily are in the public's and the national interests.

From: "Larry Essman" <lessman@roadrunner.com>
Date: June 12, 2014 at 10:53:09 PM EDT
To: "Gene Meadows" <councilmembermeadows@gmail.com>
Cc: <ssturgill@zoomnet.net>, <kevine1954@hotmail.com>, "Derek Allen" <dallen@portsmouthoh.org>, "Kevin W.W. Johnson" <kwwj@roadrunner.com>
Subject: Grandview sewer overflow AGAIN

I was just informed by my neighbors at 2407 and 2411 Grandview that the sanitary sewer AGAIN overflowed into their basements on Tuesday evening. Apparently, Loretta and I were very, very fortunate in that we did not experience this overflow, but I did go into the basement and could hear the sewer running.

Mrs. Voorheis who lives at 2407 Grandview said she had a "lot of sewage water" in her basement and would need a dumpster to discard the damaged items. Ms. McQuithy at 2411 Grandview said she had about four inches of sewage in her basement.

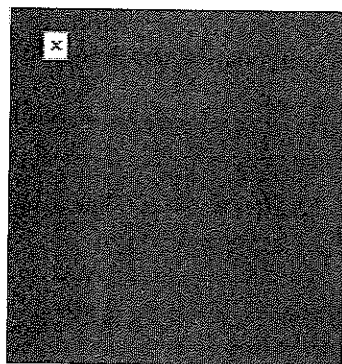
I did not see the warning light flashing at the corner of 23rd and Grandview to warn the city that the sewer was filling up. Has this light been disabled? If so, it was done very prematurely and has placed the entire neighborhood at risk. Both of these residents and myself complied with Mr. Duncan's downspout removal program, and as I said before, I feel this has on made matters worse causing constant seepage. I have found very few who have said that they removed their downspouts. The volume of water moving down Grandview during Tuesday evenings' storm was staggering. The street was flooded "curb to curb" and water was actually running down the sidewalk on the east side of the street.

Based on what occurred Tuesday I am very skeptical of the viability of the retention system proposed on Grandview. We have to live in constant fear of every storm.

We await your reply.

M. Jane Murray and Larry C. Essman - on behalf of ourselves and our dozens of affected homeowners.

WeGotTroubleRightHereInRiverCity: How We Got to This Point

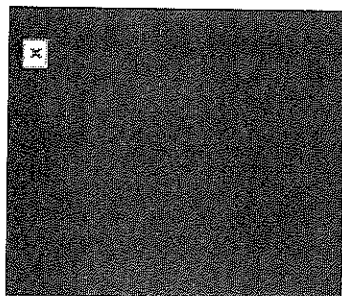


WeGotTroubleRightHereInRiverCity:
How We Got to Thi...
Definitions: CSO (Combined Sewer
Overflows – sewage and storm water);
SSO (sanitary sewer overflow); LTCP
(Long Term Control Plan). The city has 10
EPA permi...

[View on wegottroublerighthere...](#)

Preview by Yahoo

WeGotTroubleRightHereInRiverCity: A Haunting Anniversary - June 4, 2008 - Shame on You Portsmouth City Officials

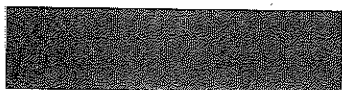


WeGotTroubleRightHereInRiverCity:
A Haunting Annive...
The old saying "A Picture is Worth A
Thousand Words" is never so appropriate
as regarding the June 4, 2008 sewage
backups into homes, the hospital and other
prope...

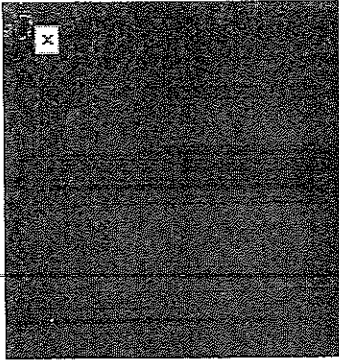
[View on wegottroublerighthere...](#)

Preview by Yahoo

WeGotTroubleRightHereInRiverCity: City Council President Sturgill Questions Approaches to Sewers



WeGotTroubleRightHereInRiverCity:
City Council Presid...

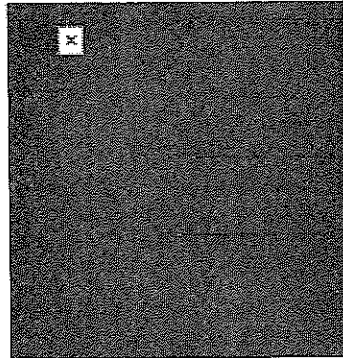


At the Tuesday, February 12, 2013 public hearing on the city's current plans to "cure" the sewer overflow problems, Council President Steve Sturgill (6th Ward) made...

[View on wegottroublerightthere...](#)

[Preview by Yahoo](#)

WeGotTroubleRightHereInRiverCity: Duncan's Proposed Sewage Lagoon (Stink Hole, Mosquito Magnet, Rat Haven/Heaven) on Grandview Avenue



WeGotTroubleRightHereInRiverCity:
Duncan's Proposed...

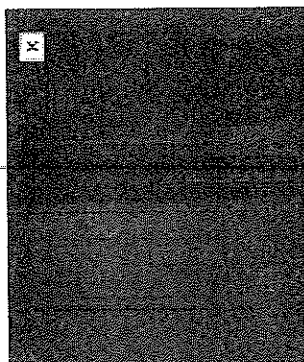
Get ready for the latest. You will not believe it. I barely do and I've about seen it all since I moved back here.

[View on wegottroublerightthere...](#)

[Preview by Yahoo](#)

M. Jane Murray
740.353.5354

WeGotTroubleRightHereInRiverCity: City Council President Sturgill Questions Approaches to Sewers



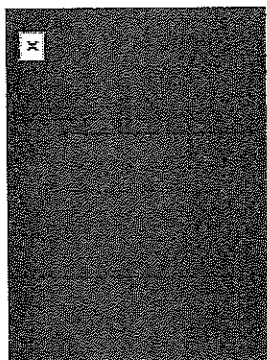
**WeGotTroubleRightHereInRiverCity:
City Council Presid...**

At the Tuesday, February 12, 2013 public hearing on the city's current plans to "cure" the sewer overflow problems, Council President Steve Sturgill (6th Ward) made...

[View on wegottroublerighthere...](#)

Preview
by
Yahoo

WeGotTroubleRightHereInRiverCity: Duncan's Proposed Sewage Lagoon (Stink Hole, Mosquito Magnet, Rat Haven/Heaven) on Grandview Avenue



**WeGotTroubleRightHereInRiverCity:
Duncan's Proposed...**

Get ready for the latest. You will not believe it. I barely do and I've about seen it all since I moved back here.

[View on wegottroublerighthere...](#)

Preview
by
Yahoo

M. Jane Murray
740.353.5354

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, June 18, 2014 10:30 AM
To: Desai, Sudhir
Subject: Re: Portsmouth's Permit to Install

Hi Sudhir:

That's fine. My address is:
1920 Dorman Drive
Portsmouth, OH 45662

Thank you.

Jane

M. Jane Murray

On Wednesday, June 18, 2014 10:58 AM, "Desai, Sudhir" <desai.sudhir@epa.gov> wrote:

Hi Jane,

I overlooked to send you the note regarding Dean Maraldo's availability this week. He will be available starting next week. He is off this week.

I need to send you a letter to you that requires the action. I know you live on Dorman Avenue . Could you please share your home address. Sorry. I can visualize your home location.

Thank you.

Sudhir Desai

From: Jane Murray <mjanemurray@yahoo.com>

Sent: Tuesday, April 29, 2014 9:25 AM

To: aaron.pennington@epa.state.oh.us

Cc: Jennifer.Witte@epa.state.oh.us; Desai, Sudhir; Larry Essman; Ruth Marasek; Kathy Lane; Brenda McCane; Alan Barlow; Bob Forrey; Austin Leedom; Harald Daub fritzdaub@roadrunner.com; Mollette

Subject: Portsmouth's Permit to Install

Hi Aaron:

I'm sorry but I did not copy you on yesterday's email to Director Tinka Hyde. I'll forward that next.

I just learned that the city submitted a permit to install application last week. Could you please tell me the date of submission? Also, did you approve a revised storage plan on Grandview Ave?

We residents are really confused and concerned that the latest revision may not be sufficient in capacity to address our CSO problems though we certainly think it preferable to go underground rather than above ground.

Thank you very much.

Jane

M. Jane Murray

<http://wegottroublerighthereinrivercity.blogspot.com/>

Desai, Sudhir

From: Jane <mjanemurray@yahoo.com>
Sent: Monday, September 08, 2014 6:56 PM
To: Desai.Sudir@epamail.epa.gov; Maraldo, Dean
Cc: Larry Essman; Ruth Marasek; Bob Forrey; Councilmember Gene Meadows
Subject: Update on planned Grandview area work
Attachments: photo 1.JPG; ATT00001.txt; photo 2.JPG; ATT00002.txt; photo 3.JPG; ATT00003.txt

Hello Sudhir and Dean:

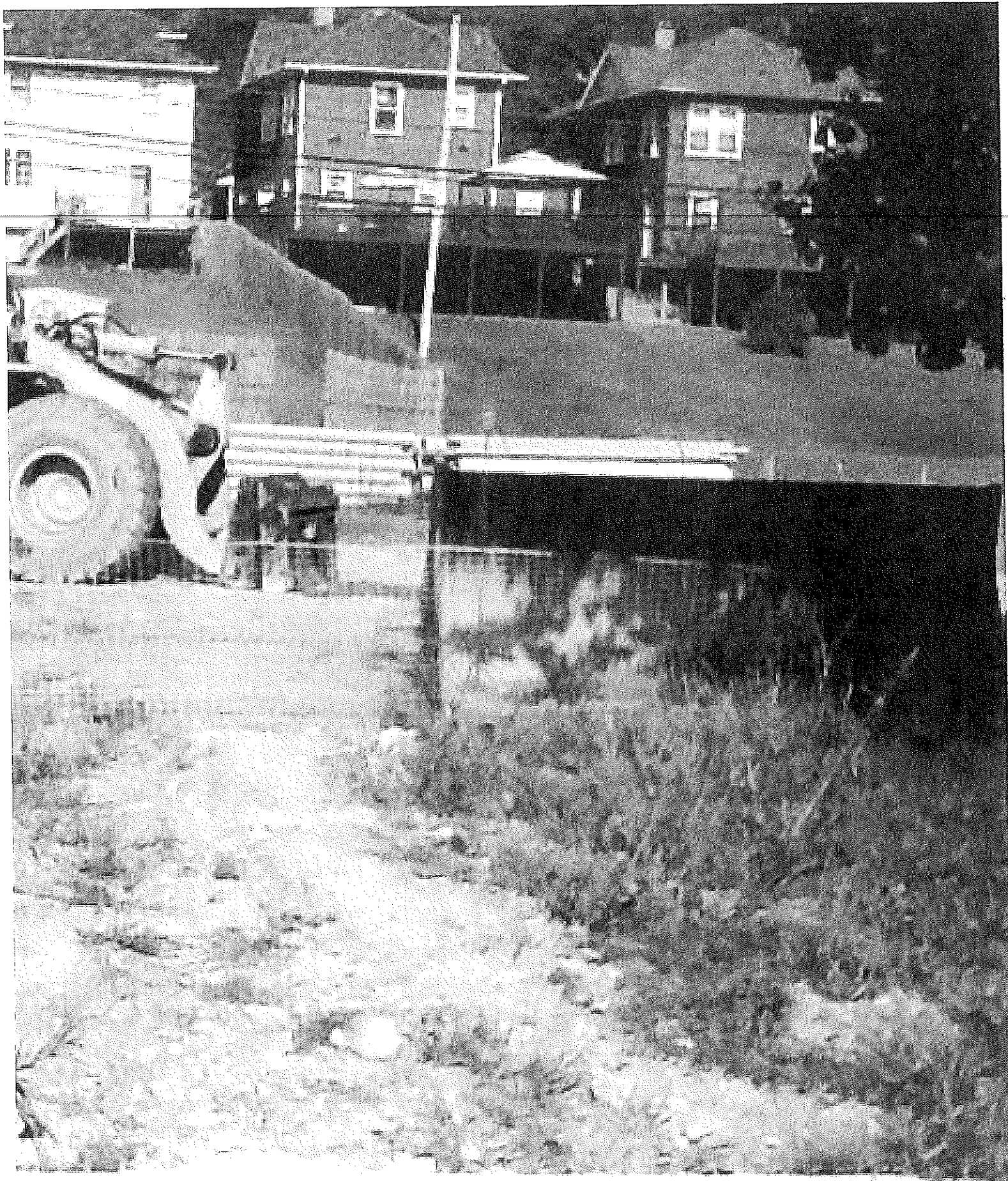
Thank you for your email and letter regarding the proposed work on the underground combined sewage storage on Grandview. If you have had sufficient time to review the city's response to your data request and prepared a response, could you please provide it to us?

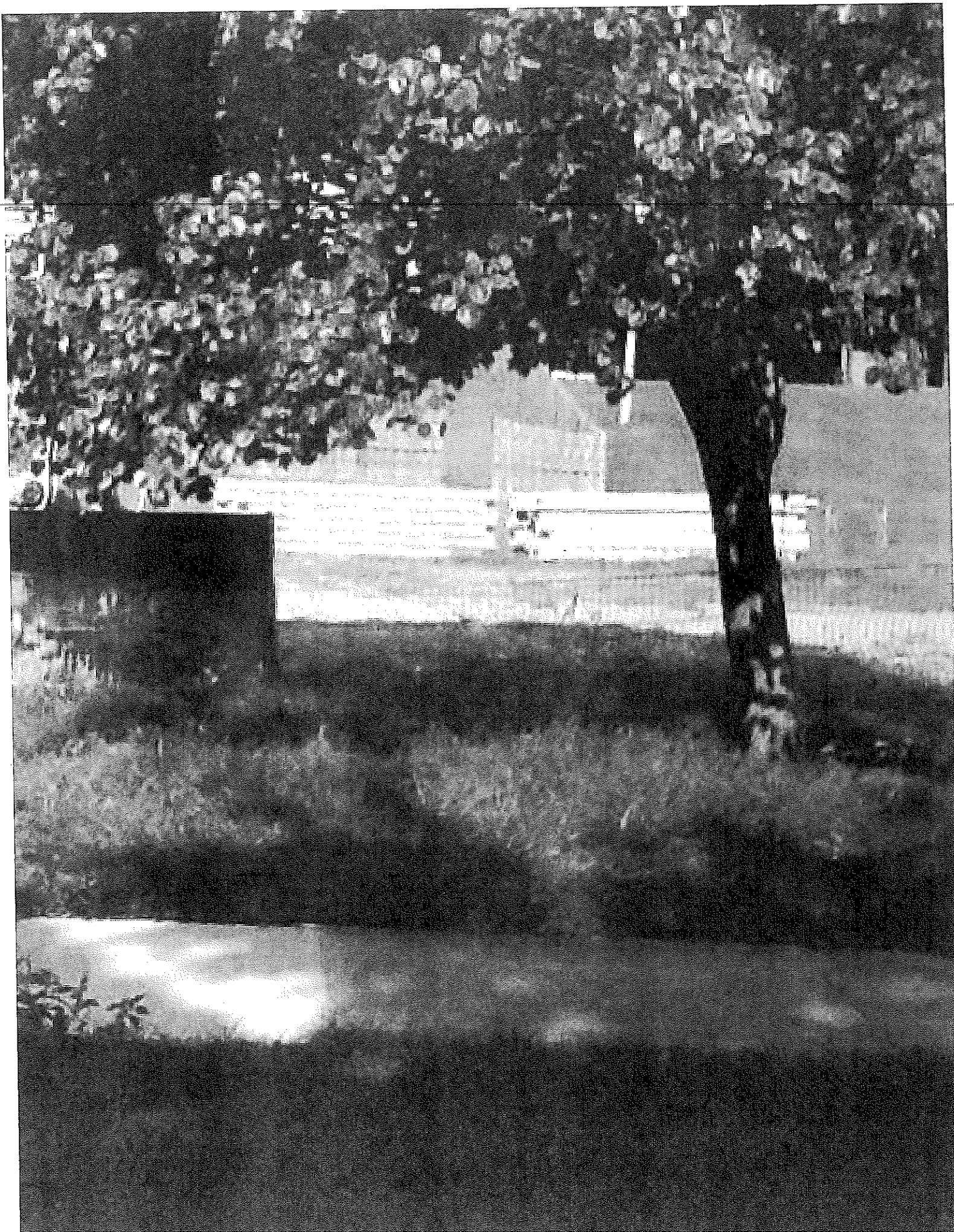
I took the photo on August 15 but the pipes had been there at least two weeks. The city doesn't tell us anything. The only thing Larry heard from a contract employee was that Strand forbade them from talking to we residents.

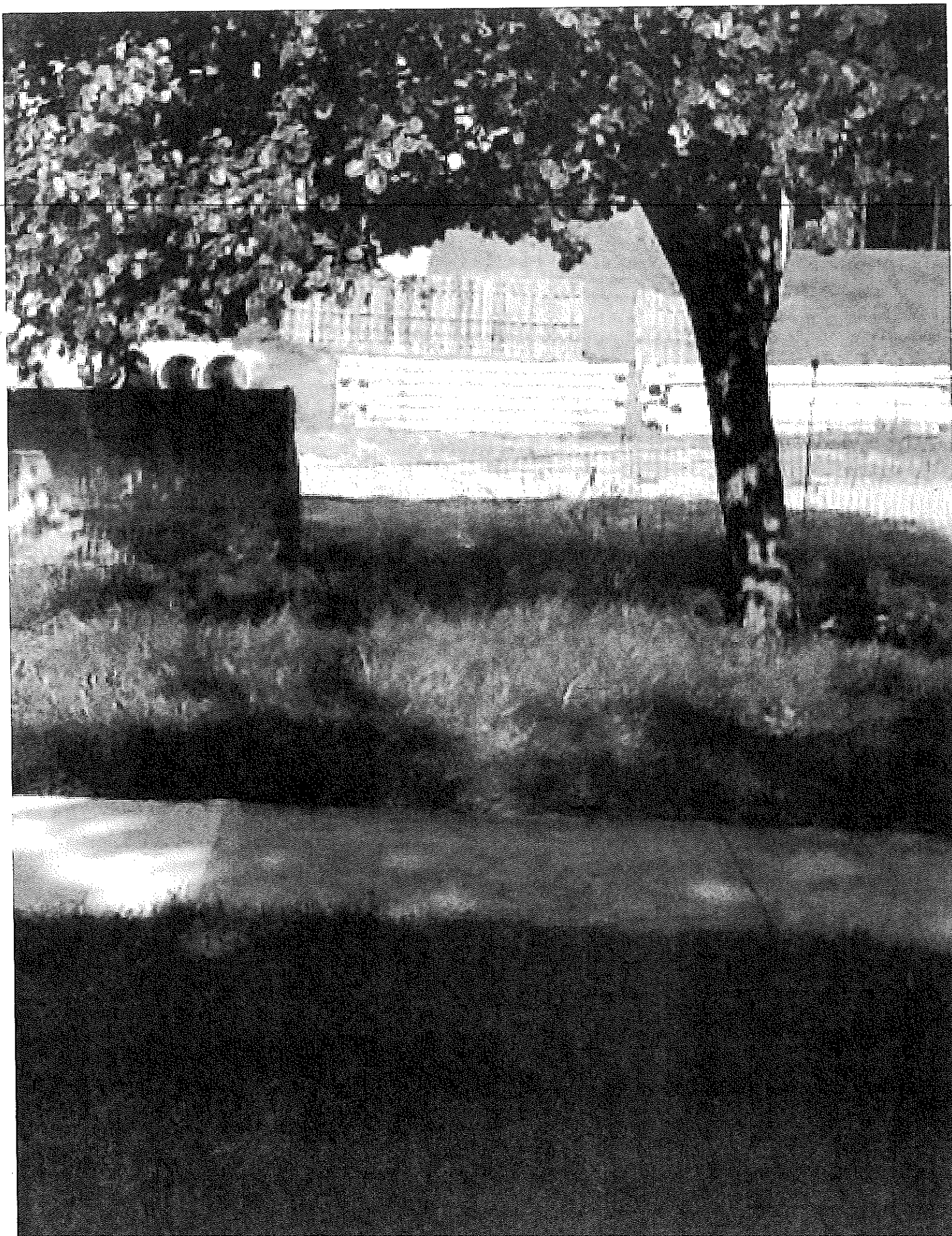
Pretty bad form, I think, especially in light of the fact that the city manager has had no discussions with the neighborhood...and there are dozens of we homeowners affected by the planned construction...and apparently plans none.

As ever, appreciate your help.

Jane







Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Tuesday, September 09, 2014 9:47 AM
To: Desai, Sudhir; Maraldo, Dean
Cc: Larry Essman; Bob Forrey; Councilmember Meadows; Ruth Marasek
Subject: Work on Grandview Ave
Attachments: Grandview sewage lagoon pipes.jpg

Follow Up Flag: Follow up
Due By: Tuesday, September 16, 2014 3:30 PM
Flag Status: Flagged

Hello Sudhir and Dean:

Thank you for your email and letter regarding the proposed work on the underground combined sewage storage on Grandview. If you have had sufficient time to review the city's response to your data request and prepared a response, could you please provide it to us?

I took the photo on August 15 but the pipes had been there at least two weeks. The city doesn't tell us anything. The only thing Larry heard from a contract employee was that Strand forbade them from talking to we residents.

Pretty bad form, I think, especially in light of the fact that the city manager has had no discussions with the neighborhood...and there are dozens of we homeowners affected by the planned construction...and apparently plans none.

As ever, appreciate your help.

Jane

p.s., I wrote this yesterday evening but it didn't go for some reason. I heard a bit on the radio this morning about work starting on Grandview and Duncan mentioned but I didn't hear the whole thing. Again, no one has informed the residents in the area.

M. Jane Murray



Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, September 17, 2014 9:43 AM
To: Hyde, Tinka
Cc: Maraldo, Dean; Desai, Sudhir; Larry Essman; Bob Forrey; Councilmember Meadows; Austin Leedom; Alan Barlow; Harald Daub; Rich Noel; Ruth Marasek
Subject: US EPA Public Meeting in Portsmouth

Dear Director Hyde:

Once again we residents affected by massive sewage backup are requesting that your agency hold a public meeting so that we can receive information, ask questions, and have our concerns addressed. We would very much appreciate that happening in the next month or so.

We do not send correspondence to Ms. VanTil as we have previously requested and again request that she be removed by the agency from negotiating with the City of Portsmouth. Our reasons are primarily:

1. She promised us in December 2011 - now almost 3 years - that the agency would require **immediate** actions by the city. The approved April 2011 plan would have already had much in place at a much reduced amount of money.
2. She has been non-responsive to our concerns and questions.
3. We believe she has been influenced in some manner by the representatives of Strand Associates and Mr. Duncan. It appears to us that she is really doing their bidding rather than acting in the interests of the public and the environment.
4. Nothing has been done to require city-wide downspout removal nor any retrofitting at the hospital and retirement complex - the two commercial entities that have introduced the huge volumes of storm water that are the causes of the CSO backups into our homes. As a matter of fact, the hospital had a sewage backup in their lowest level in 2008.
5. We have no confidence in the Strand/City plan to build underground storage of CSOs on Grandview which Ms. VanTil seems to have approved. It reduces their original plan from nearly 1 Million gallons to just 400,000.

These are but a few of our concerns. The city has had no public meeting nor distributed information door-to-door in the neighborhood which could easily be accomplished.

Thank you very much for your review of our requests.

Sincerely,

Jane Murray

M. Jane Murray

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Monday, December 15, 2014 11:39 AM
To: Gene Meadows; Councilmember Meadows; Kevin E Johnson
Cc: Rich Saddler; Kevin W.W. Johnson; Larry Essman; Brenda McCane; Ruth Marasek; cruiseeast@aol.com; Desai, Sudhir; Bill Beaumont; Kathy Lane
Subject: affected neighborhood streets & help from city

Gene & Kevin:

Could you please help us slow down the traffic and maybe stave off some of the cut-through traffic in our neighborhoods?

The vehicles mostly don't slow down on my street, and others I am sure. Now that Dorman from Grandview up the hill has been paved, they fly down the hill to our houses at the light with extra dust flying.

Feel free to park in my drive way and watch it a bit. Look at my house and the autos. We will live with this for a long time from the construction alone. Adding insult to injury by the cut-through traffic and traffic going to work, is unnecessary. These people, for the most part, don't even live in the city.

Who will pay to have our houses, railings, awnings, etc. cleaned?

After SOMC's last big build-out...and remember, they are largely to blame for our sewage back-up problems, they refused to pay to have our houses power washed from all the black soot we got from Boone Coleman black soot belching trucks. I had just had my house painted too.

Bill Beaumont probably has the traffic calming plan done by Howerton Engineering in 2010. It is a simple and inexpensive plan. For the most part it includes 3-way and 4-way stops throughout, proper signage.. People (trucks, cars, GPS directed traffic, tractor trailers, AEP, others galore) can still use our neighborhood streets...they just need to slow down. It can easily be implemented now. As a matter of fact, this would be the prime time to implement it.

As we have discussed, when will large signs be added on U.S. 23 and 52 to prevent GPS, mapped and other cut-through traffic from using the neighborhood streets to access the other US routes? This is killing lower Grandview and all of Grandview, Dorman, Coles Blvd (4th, 5th, 3rd, and 1st maybe wards). Myriad other residents have complained to us as well. 25th Street, Shawnee Road, Micklethwaite, Sherman, and others. Perhaps a public meeting with residents in the new year is in order too.

Please help us now. It's been too long. I sound like a broken record. It is of no consequence to ask the city manager. He doesn't seem to think he works for the public. He doesn't seem to think he works for you. Just my opinion.

Jane

M. Jane Murray
740.353.5354

Desai, Sudhir

From: Jane <mjanemurray@yahoo.com>
Sent: Friday, July 03, 2015 6:52 PM
To: Sudhir Desai
Cc: Steve Canter; Richard.howerton@howertoneng.com; Larry Essman; Bob Forrey; Prichard, Gary; Desai, Sudhir; Ruth Marasek
Subject: Re: Grandview flooding

Thank you very much, Sudhir. We look forward to your visit.

Jane

M. Jane Murray

On Jul 3, 2015, at 7:28 PM, Sudhir Desai <sudhirvdesai@aol.com> wrote:

Hi Jane,

Thank you for sharing the information about flooding in your neighborhood.

I had the opportunity to discuss this matter with the City of Portsmouth personnel earlier. Unless they have an official complaint about basement flooding, they are unable to address the issue. They would like to speak to the impacted citizens and verify their claims.

If you have additional citizens who may have been impacted by basement flooding, please let me know. Portsmouth will continue to work towards their efforts to address this issue via their administrative order on consent signed by the City.

At least we have an e mail from Professor Essman about this issue shared with the City folks

I plan to visit the community shortly.

Thank you.

Sudhir Desai
USEPA, Region 5
WECA
77 W. Jackson Blvd.
Chicago, IL60604
312/886-6704

From: Jane
Sent: 7/3/2015 7:18 AM
To: sudhirvdesai@aol.com; Steve Canter; Richard.howerton@howertoneng.com
Cc: Larry Essman; Bob Forrey
Subject: Fwd: Grandview flooding

Good morning:

Larry had seepage in his basement. I did not have any.

They reduced the size and number of storm drains uphill on 25th Streey and at the intersection with Grandview. It made no sense to us. I'll check and see if I have some photos.

Jane

M. Jane Murray

Begin forwarded message:

From: "Larry Essman" <lessman@roadrunner.com>
Date: July 2, 2015 at 10:47:36 AM EDT
To: "Derek Allen" <dallen@portsmouthoh.org>, "Gene Meadows" <councilmembermeadows@gmail.com>
Cc: "Ruth Marasek" <ruthmarasek1@msn.com>, "Jane Murray" <mjanemurray@yahoo.com>
Subject: Grandview flooding

During the torrential rains on Tuesday evening, Grandview became flooded again. We noticed that the runoff from twenty-fifth street did not reach the sewer in the middle of the intersection, but made a turn south at the southeast corner of 25th and Grandview.

This flooding was partially caused by the residents of Grandview. I told Councilmen Saddler and Kalb after the last council meeting that I watched my neighbors' lawn services blowing their grass clippings into the street. The first sewer on the southeast side of the intersection of 25th and Grandview was almost completely blocked by grass clippings and straw. When the drip sewer was in front of our house we [my wife and I] would be certain it was clean, sometimes clearing it in the middle of a storm. Unfortunately, I even witnessed one resident sweeping debris into the sewer.

Perhaps, the city might send out some letters to the same residents they provided updates on the construction advising them not to blow grass clippings into the streets or sweep debris into the sewers.

Thanks,

Larry & Loretta Essman

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Saturday, July 04, 2015 12:59 PM
To: Sudhir Desai; Larry Essman
Cc: 'Steve Canter'; Richard.howerton@howertoneng.com; 'Bob Forrey'; Prichard, Gary; Desai, Sudhir; 'Ruth Marasek'
Subject: Re: Grandview flooding

The other thing is that evidently there was water standing in the 25th & Shawnee Road intersection. Larry, could you please explain what you told me? I'll see if I can find anyone who might have taken a picture of it.

Jane

M. Jane Murray

www.wegotttroublerighthereinrivercity.blogspot.com

From: Sudhir Desai <sudhirvdesai@aol.com>
To: Larry Essman <lessman@roadrunner.com>; 'Jane' <mjanemurray@yahoo.com>
Cc: 'Steve Canter' <scanter@enveng.com>; Richard.howerton@howertoneng.com; 'Bob Forrey' <robert.rforr1@gmail.com>; prichard.gary@epa.gov; desai.sudhir@epa.gov; 'Ruth Marasek' <ruthmarasek1@msn.com>; Sudhir Desai <sudhirvdesai@aol.com>
Sent: Saturday, July 4, 2015 12:15 PM
Subject: RE: Grandview flooding

Hi Professor Essman,

The impact on the residents may have been reduced due to storage basin completed by the City in May 2015.

However, the continued flooding of the basements of the area residents shows that the current capacity of the system is not fully capable to meet needs of their citizens.

Thank you.

Sudhir Desai

From: Larry Essman
Sent: 7/4/2015 11:04 AM
To: 'Jane'; 'Sudhir Desai'
Cc: 'Steve Canter'; Richard.howerton@howertoneng.com; 'Bob Forrey'; prichard.gary@epa.gov; desai.sudhir@epa.gov; 'Ruth Marasek'
Subject: RE: Grandview flooding

Jane and others,

I cannot really fault the city for the seepage we experienced, The rain were so hard and blowing against the side of the house that I am surprised we did not experience more.

The flooding on Grandview might be a different matter. But again, it may be partially blamed on the residents who grass clippings clogged the sewer. You should have seen the mess the house south of us made when they cut their waste high grass. It all went into the street. I wish I could have taken a picture of it.

From: Jane [mailto:mjanemurray@yahoo.com]
Sent: Friday, July 03, 2015 7:52 PM
To: Sudhir Desai
Cc: Steve Canter; Richard.howerton@howertoneng.com; Larry Essman; Bob Forrey; <prichard.gary@epa.gov>; desai.sudhir@epa.gov; Ruth Marasek
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Larry & Loretta Essman

1

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Tuesday, July 07, 2015 3:49 PM
To: Vantil, Barbara; Maraldo, Dean
Cc: Hyde, Tinka; Prichard, Gary; Desai, Sudhir; Councilmember Gene Meadows; Larry Essman; Bob Forrey; Ruth Marasek; Brenda McCane
Subject: Underground Retention Basin & Other AOC Compliance Issues

Barbara:

We have some questions for you regarding the build-out by the City to address the 18-year old basement CSO back-up and its efforts to comply with the Agency's AOC.

1. Has the City submitted engineering data to the Agency as requested regarding the smaller underground storage basin built on Grandview?
2. If so, what is the Agency's determination regarding sufficiency to correct our basement flooding problems in the Grandview/Shawnee/25th Street area?
3. If the City has not submitted the required data, when will it be submitted?
4. The City had the telemetry equipment on Grandview Avenue at 23rd Street removed last week. Was this premature? What evidence is there that it should have been removed prior to the Agency's determination regarding revised plans, smaller than proposed underground storage, etc.? For your information, this was installed in 2010 at the suggestion of the Agency and part of an operational directive. This was done to protect us and give advance warning to the plant operators that the system is reaching overload in our neighborhood.
5. We have asked for public meetings so that we can learn what has and is being done and so that we might ask questions. Our requests by the City have gone unanswered. In view of that, we once again request that the Agency hold a public meeting as soon as practicable so that we can learn, ask questions, and get definitive answers. We realize you can ask the City to attend and they will comply with your request.
6. As a result of last week's rains, some in the neighborhood have experienced some minor basement backup. Others experienced seepage and overland storm water flooding. We are still contacting neighbors and will put together a more complete list; however, it must be stated that many of our more active neighbors who have had repeated massive backups for more than 18 years have moved and or died. We haven't had time to establish contact with any new owners/residents. Also, last week's rain would not be categorized as a major event.
7. The storm water configurations on 25th Street and the confluence of 25th & Grandview have been drastically changed with the recent subsurface work and pavement resurfacing. Again, we have not been privy to information on the rationale or efficacy of such changes but question the outcome as Mr. & Mrs. Essman observed storm water running down 25th, bypassing the storm water drains and crashing into the street. Photos show that storm water grates were completely removed on 25th Street. There are NO surface drains except one at a fall-out to a 4" or so PVC pipe on the north side of 25th (and at residence) and one small round open drain at the 25th and Grandview intersection.
8. The hospital, SOMC Hospice & Laundry, Hillview Retirement Center, a private doctor's office and other development has occurred in our neighborhood that does not comply with local ordinances & regulations and are not addressed, we believe, in the previous engineering calculations submitted by the City as part of the AOC. Have you since received these data?
9. The downspout removal program initiated by the city that affects ONLY some 60+ residences in the area has been poorly and unevenly implemented. In fact, we contend, as Mr. Essman has repeatedly written, that this program has merely made the water seepage problem worse!
10. Also, no other retrofitting has been required by entities such as those noted in #8. Once again, in your review of compliance to the AOC we ask the Agency to review this so that we might understand and possibly seek redress.

Thank you for your attention to this request.

Jane Murray & Larry Essman

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, July 15, 2015 9:01 AM
To: Prichard, Gary; Vantil, Barbara; Hyde, Tinka
Cc: Hedman, Susan; Maraldo, Dean; Desai, Sudhir; Councilmember Gene Meadows; Kevin E. Johnson; Kevin W.W. Johnson; Rich Saddler; Larry Essman; Robert Forrey; Ruth Marasek; Brenda Mccane; Vicci Felts; Sue Zoellner; Donna Voorheis; Janice Shanks
Subject: Combined Sewer Backup & Overland Storm Water Flooding

We wish to inform you of the massive storm flooding in our neighborhood just after 5:00 p.m. EDT yesterday. I've spoken with numerous people who've had 6+ inches, 3-5 inches, or 1-3 inches of combined sewer backup into their basements. Additional storm water damage has also occurred. Many report that the problems are worse than before.

City workers, police, the City Manager & City Solicitor canvassed the neighborhood getting names and addresses of those damaged. No one came to my door though. My brother was here (I was at work) and reported that I had 1-2" of CSO in my basement and he saw water shooting 3 feet high out of the storm drain across the street from my house. The city and others have similar photos of water shooting out down Grandview Avenue.

I have some names and a few pictures and will be gathering more. I will send reports to you.

Mr. Essman and I await response to our email from last week and will, no doubt, have additional questions from this "event", such as why was the telemetry equipment moved.

You can see a few pictures on my blog:

<http://wegottroublerighthereinrivercity.blogspot.com/2015/07/the-big-fixit-aint.html>

Thank you.

M. Jane Murray and Larry C. Essman

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Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, July 15, 2015 12:39 PM
To: Derek Allen; Prichard, Gary; Vantil, Barbara; Hyde, Tinka; John Haas; rduncan1@falcon1.net
Cc: Hedman, Susan; Maraldo, Dean; Desai, Sudhir; Councilmember Gene Meadows; Kevin E. Johnson; Kevin W. Johnson; Rich Saddler; Larry Essman; Robert Forrey; Ruth Marasek; Brenda McCane; Vicci Felts; Sue Zoellner; Donna Voorheis; Janice Shanks
Subject: Re: Combined Sewer Backup & Overland Storm Water Flooding

Mr. Allen:

I disagree. My statements are not misleading nor is my blog. What you don't know is the history and detail. I do. Many people yet don't understand that what backed up was indeed combined storm water & sewage. Even those that sued the city in the past continued to talk about "water in basement".

You stated below: "The purpose of the project was to protect home from combined or sanitary sewer backups. Dry basements were never guaranteed."

Did you see the photos on my blog from Ms. McCane's house on Shawnee? It is sewage/storm water. She has had repeated sewage backups over the years. She was not home when the storm hit. I suggested she call you this morning and ask you to come and look. The house next door to her was also hit badly as was the house at 1922 25th Street owned by Ms. Angie Hamilton. She told me it was combined sewer backup and at least 6". She was still cleaning up when I spoke with her at approximately 7:00 pm last night.

I did not go door to door but saw city workers and at least 1 police officer.

You stated below: "Only two houses I entered had water in any portion (the floor was multi-leveled) of their basement and it was 1-2" in depth and was clear water. In these no determination could be made if the water was coming from basement walls. The rest had no standing water. Most had evidence the floor was wet but the water had since drained down their floor drains. Again, most houses had evidence of a wet floor but no house had any standing water. Residents were understanding and absolutely no one said it was worse than before. This statement is blatantly false."

At what time did the plant start bypassing? How many millions of gallons of untreated sewage go to the Ohio River yesterday? How much each day of the last 5 days?

My theory is that the CSO backup in our homes quickly ran out when the bypass began. That has been the history and this was my deduction from my brother's eye witness account of what happened in my basement.

I think it terrific that some people such as Mr. Essman did not suffer as they have in the past, but that in no way proves that Mr. Duncan's and Strand's "plan" worked. Has Strand provided the U.S. EPA the required engineering proof that the plan would/will work?

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In my opinion, the city has a responsibility to analyze the storm water problems in our neighborhood caused by the continual build-out at SOMC, Hillview, the horrible parking lot at the Army Reserve site (that Jim Kalb allowed to ignore the storm water retention requirements) residences, and commercial development all in contravention to the city's storm water ordinance and regulations (have you seen them?), MS4 requirements and any other federal and/or state requirements - and our sewage backups and other overland storm water disasters. That is what they are - disasters for us.

Our property values and quality of life have plummeted thanks to sewage and storm water problems created and unsolved, and the run away and cut through traffic about which the city council, past mayors nor you have done anything.

So, again, I totally disagree with you and stand by my call for the city council to sue Strand and fire Rick Duncan.

M. Jane Murray, M.A.

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www.wegottroublerighthereinrivercity.blogspot.com

From: Derek Allen <DAllen@portsmouthoh.org>
To: Jane Murray <mjanemurray@yahoo.com>; Gary Prichard <prichard.gary@epa.gov>; Barbara VanTil <vantil.barbara@epa.gov>; Tinka G. Hyde <hyde.tinka@epa.gov>; John Haas <JHaas@portsmouthoh.org>; "rduncan1@falcon1.net" <rduncan1@falcon1.net>
Cc: Susan Hedman <hedman.susan@epa.gov>; Dean Maraldo <maraldo.dean@epamail.epa.gov>; Sudhir Desai <desai.sudhir@epa.gov>; Councilmember Gene Meadows <councilmembermeadows@gmail.com>; Kevin E. Johnson <kevne1954@hotmail.com>; Kevin W. Johnson <kwwj@roadrunner.com>; Rich Saddler <rich@saddler.me>; Larry Essman <lessman@roadrunner.com>; Robert Forrey <robert.rforr1@gmail.com>; Ruth Marasek <ruthmarasek1@msn.com>; Brenda Mccane <brendamccane@yahoo.com>; Vicci Felts <viccifelts@gmail.com>; Sue Zoellner <shadowz05@aol.com>; Donna Voorheis <donnavoorheis40@gmail.com>; Janice Shanks <janiceshanks@yahoo.com>
Sent: Wednesday, July 15, 2015 12:14 PM
Subject: RE: Combined Sewer Backup & Overland Storm Water Flooding

Dear Ms. Murray:

City employees and City Police went door to door last night after the rain event. I was present and coordinated this effort. We went to every house we could (however, you are correct we did not go to yours) and asked if the residents had water or flooding in their basement. We stopped going north in the 2700 block of Grandview when every resident stated that they were dry and had no water at all in their basements.

Each house was checked, address and name taken and recorded. If the occupant said they had water we went in and viewed and took pictures. In every instance there was no evidence what-so-ever of CSO backup. Any house that had water, the water was clear. Some houses had water seeping from basement walls. Only two houses I entered had water in any portion (the floor was multi-leveled) of their basement and it was 1-2" in depth and was clear water. In these no determination could be made if the water was coming from basement walls. The rest had no standing water. Most had evidence the floor was wet but the water had since drained down their floor drains. Again, most houses had evidence of a wet floor but no house had any standing water. Residents were understanding and

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The manholes on the 400,000 gallon underground storage structure were opened after the rain and the structure was not completely full. The estimate was that the structure was 75% full. It worked as designed. The street flooding was due to grass, weeds, leaves and mulch clogging the catch basins. Once this was removed the street quickly drained. In the 2700 block once the debris was removed the two feet of water in the street drained in less than two minutes.

The flooding at the intersection at 25th and Coles (in the street) will be mitigated when the detention/retention facility is constructed in the fall. Even with this issue when the basements surrounding this intersection were entered there was no standing water.

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What you fail to mention is that with the storm of that magnitude there was flooding all over the city. The flooding in this area was just as bad as other areas.

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Derek K. Allen, ICMA-CM
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City of Portsmouth
728 Second Street
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Phone: 740.354.8807
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City of Portsmouth

728 Second Street

Portsmouth, Ohio 45662

Phone: 740.354.8807

Fax: 740.354.8809

From: Jane Murray [mailto:mjanemurray@yahoo.com]

Sent: Wednesday, July 15, 2015 10:01 AM

To: Gary Prichard ; Barbara VanTil ; Tinka G. Hyde

Cc: Susan Hedman ; Dean Maraldo ; Sudhir Desai ; Councilmember Gene Meadows ; Kevin E. Johnson ; Kevin W.W. Johnson ; Rich Saddler ; Larry Essman ; Robert Forrey ; Ruth Marasek ; Brenda Mccane ; Vicci Felts ; Sue Zoellner ; Donna Voorheis ; Janice Shanks

Subject: Combined Sewer Backup & Overland Storm Water Flooding

We wish to inform you of the massive storm flooding in our neighborhood just after 5:00 p.m. EDT yesterday. I've spoken with numerous people who've had 6+ inches, 3-5 inches, or 1-3 inches of combined sewer backup into their basements. Additional storm water damage has also occurred. Many report that the problems are worse than before.

City workers, police, the City Manager & City Solicitor canvassed the neighborhood getting names and addresses of those damaged. No one came to my door though. My brother was here (I was at work) and reported that I had 1-2" of CSO in my basement and he saw water shooting 3 feet high out of the storm drain across the street from my house. The city and others have similar photos of water shooting out down Grandview Avenue.

I have some names and a few pictures and will be gathering more. I will send reports to you. Mr. Essman and I await response to our email from last week and will, no doubt, have additional questions from this "event", such as why was the telemetry equipment moved.

You can see a few pictures on my blog:

<http://wegottroublerighthereinrivercity.blogspot.com/2015/07/the-big-fixit-aint.html>

Thank you.

M. Jane Murray and Larry C. Essman

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Thursday, July 16, 2015 2:03 PM
To: Derek Allen
Cc: Councilmember Gene Meadows; Larry Essman; Desai, Sudhir; Prichard, Gary; Maraldo, Dean
Subject: By-pass reports

Mr. Allen:

Pursuant to the Open Records Act, please provide me a copy of the July 14, 2015 By-pass report kept by the sewage treatment plant. Since it is usually only one page, I'd appreciate it being faxed to me at: 740-353-2123 or emailed.

Thank you.

Jane

M. Jane Murray

www.wegottroublerighthereinriverscity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Wednesday, July 29, 2015 12:26 PM
To: Hedman, Susan; Kaplan, Robert; Hyde, Tinka; Maraldo, Dean; Prichard, Gary; Desai, Sudhir; Fred Snell; Derek Allen
Cc: Councilmember Gene Meadows; Kevin W.W. Johnson; Kevin E. Johnson; Rich Saddler; Larry Essman; Robert Forrey; Ruth Marasek; Brenda Mccane; Janice Shanks; Vicci Felts; Sue Zoellner; Donna Voorheis; Debra Atkinson; Travis Smith; Tiffany T. Shanks; Tom Lowe; M. Trent Williams; Alan Barlow; Harald Daub; rduncan1@falcon1.net; jack.knapp@epa.ohio.gov
Subject: Sewer Backups into our homes
Attachments: Portsmouth LTCP Phased Approach 04162012 letter from US EPA to city.pdf, Portsmouth Ohio July 14 2015 storm-aftermath.pdf

Dear Administrator Hedman and others:

We residents have tried for years to get the city to enforce storm water regulations and devise and build projects to prevent sewers (combined in Portsmouth) from backing up in our houses . . . to no avail. Some people have suffered repeated backups since 1997. This is sewage and a direct violation of law. For many (22 houses and counting) we had combined sewer backups into our basements on Tuesday, July 14, 2015.

Yet the Portsmouth's city manager and others are trying to tell you and the public that it was, for the most part, clear water. This is NOT the case. We have attached photos and also refer you to Jane Murray's blog where you can see others (please scan down to see all):

<http://wegottroublerighthereinrivercity.blogspot.com/>

The City's Long Term Control Plan, revised October 2010, was approved by the Agency in April 2011. Then, new staff member Barbara Vantil came on board and subsequently allowed the city to revise Phase 1 projects. The attached letter from Dean Maraldo clearly states the purpose of Phase 1 to include at number 2): "designing and implementing projects to prevent releases of sewage from the Combined Sewer System into basements, potentially including the use of green infrastructure to reduce clear-water flow into the system;"

While trying to make just 60+ households to remove downspouts from their foundation drains, the city did NOTHING to require the hospital (Southern OH Medical Center) to re-direct storm water from their impervious surfaces and, in fact, allowed them to build ANOTHER parking lot just prior to the city manager coming on board! This was a direct violation, we contend, of your requirements of the City as per your attached letter.

Likewise, Hillview Retirement Center built additional impervious surfaces and neither they, the hospital nor the National Guard Armory (which built a parking lot where historically cars parked on grass) were required to retrofit at all. Taking their massive "clear water" out of the sewers or at least reducing it would make a huge impact we contend.

There have been dozens and dozens of communications, plans, revised plans, etc. over the years that it becomes quite dizzying for us, but we hope your staff will take the time to review the entire file and help us. Mr. Maraldo's statement in the attached letter does say it all we believe:

"Specifically, Portsmouth apparently has Sanitary Sewer Overflows (SSOs) from the separate parts of the City of Portsmouth's sewer collections system and basement backups from the Combined Sewer System. Both SSOs and basement backups are strictly prohibited and unauthorized."

The operational directive put in place by former director Bramscher was the only thing that has saved us since 2008. Please require the city to reinstall the telemetry equipment that was part of this directive. The city took it down about one week before our July 12 horrible backups.

We will have more to communicate to you in the coming days and weeks.

Sincerely,

Ruth and Bob Marasek
Brenda McCane
Donna Voorheis
Larry Essman
Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 16 2012

REPLY TO THE ATTENTION OF:

WC-15J

Honorable David Malone
Mayor of Portsmouth
Municipal Building
728 Second Street
Room 1
Portsmouth, Ohio 45662

Subject: City of Portsmouth, Ohio, Combined Sewer Overflow Long Term Control Plan

Dear Mayor Malone:

On September 30, 2010, the City of Portsmouth submitted a Revised Long Term Control Plan (2010 Revised LTCP) to EPA for addressing Portsmouth's Combined Sewer Overflows (CSOs). Since then, EPA has become aware from discussions with the Ohio Environmental Protection Agency and the City of additional issues that also need to be addressed. Specifically, Portsmouth apparently has Sanitary Sewer Overflows (SSOs) from the separate parts of the City of Portsmouth's sewer collection system and basement backups from the Combined Sewer System. Both SSOs and basement backups are strictly prohibited and unauthorized. In light of these new developments, we believe that Portsmouth should pursue a slightly different approach for addressing these issues than that set forth in the 2010 Revised LTCP.

Specifically, as we have discussed with your staff, we believe that Portsmouth should implement a phased schedule for the City's SSO, CSO, and other near-term projects. Under the first phase, the City would implement and complete projects currently under negotiation, which will include:

- 1) addressing SSOs at Munn's Run lift station through evaluation of its sanitary sewers and lining of the interceptor sewer;
- 2) designing and implementing projects to prevent releases of sewage from the Combined Sewer System into basements, potentially including the use of green infrastructure to reduce clear-water flow into the system;
- 3) increasing its efforts to properly operate and maintain its sewer systems, such that unauthorized releases, including SSOs and basement backups, are prevented; and

4) designing and implementing a control project at the largest volume CSO, CSO002, at Lawson's Run.

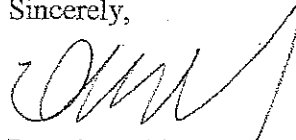
The timeframe for Phase I will be negotiated with consideration to the City's financial situation.

At the end of Phase I, the remainder of Portsmouth's LTCP would be reassessed to determine what additional steps need to be taken to implement Phase II. Phase II will include projects from the 2010 Revised LTCP, as appropriate, and allow the City to meet water quality standards regarding its discharges to the Ohio River. We anticipate that this would require: 1) a performance analysis and evaluation for those SSO and CSO controls constructed during Phase I; 2) an updated LTCP that considers the performance achieved in Phase I and the 2010 Revised LTCP to determine the nature and location of additional storage facilities and additional sewer replacement and separation projects; 3) an updated Financial Capabilities Assessment; and 4) a new Implementation Schedule for the rest of the City's LTCP.

We appreciate the efforts the City has made to address its highest priority CWA issues. The CWA and existing policy and guidance provide us with the flexibility to work with you to sequence the necessary work in a way that maximizes your infrastructure improvement dollars. Recent discussions between the City, EPA, and Ohio EPA have been productive. Our intention is to use the flexibility allowed us to embody the approach described above in an Administrative Order on Consent. The Order will capture the projects negotiated between the City and the Agencies, and the efforts the City will be making to move toward compliance. We will be contacting Richard Duncan from your staff to continue discussing the approach described above and drafting the Administrative Order on Consent.

EPA and the Ohio EPA are anxious to conclude this long process and move the City toward compliance with its NPDES Permit and the Clean Water Act. If you have any questions regarding this recommendation, please contact Sudhir Desai at 312-886-6704, or Barbara VanTil at 312-886-3164. If you have any legal questions, please contact Gary Prichard, Associate Regional Counsel, at 312-886-0570.

Sincerely,



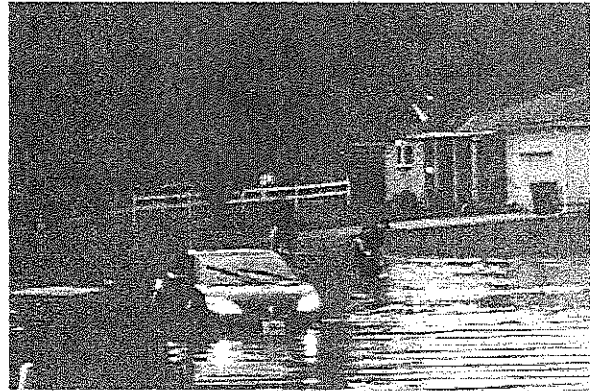
Dean Maraldo, Chief
Water Enforcement and Compliance Assurance
Branch

cc: Paul Novak, Ohio Environmental Protection Agency

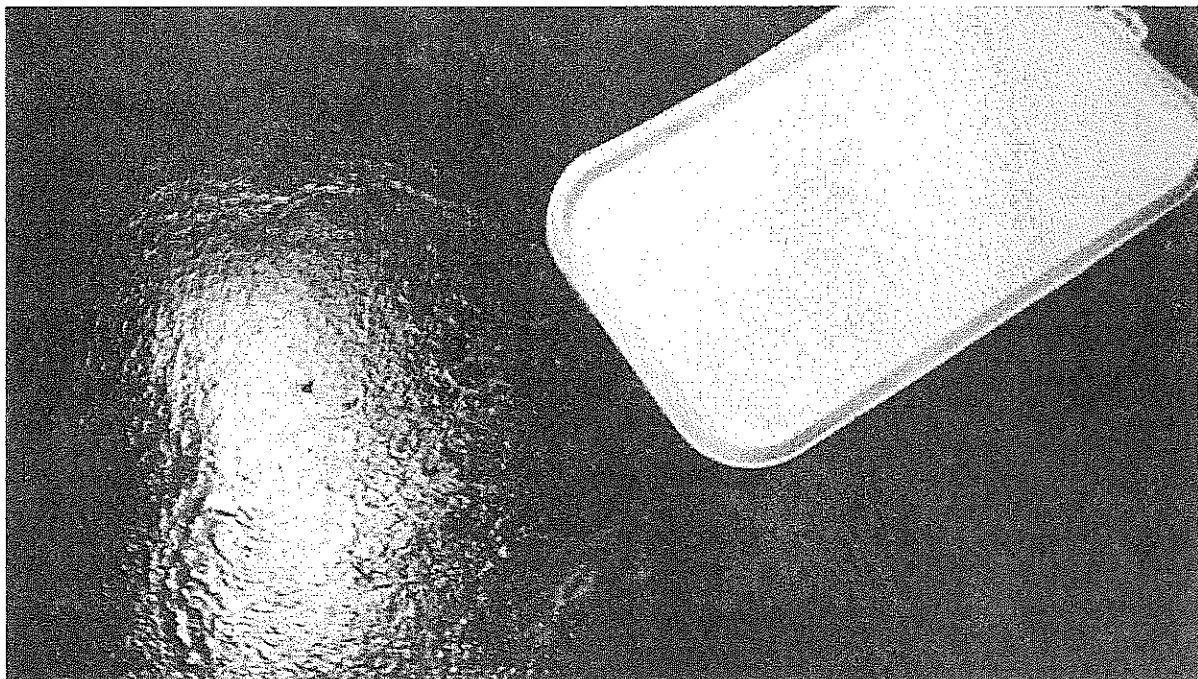
Portsmouth Ohio
Storm

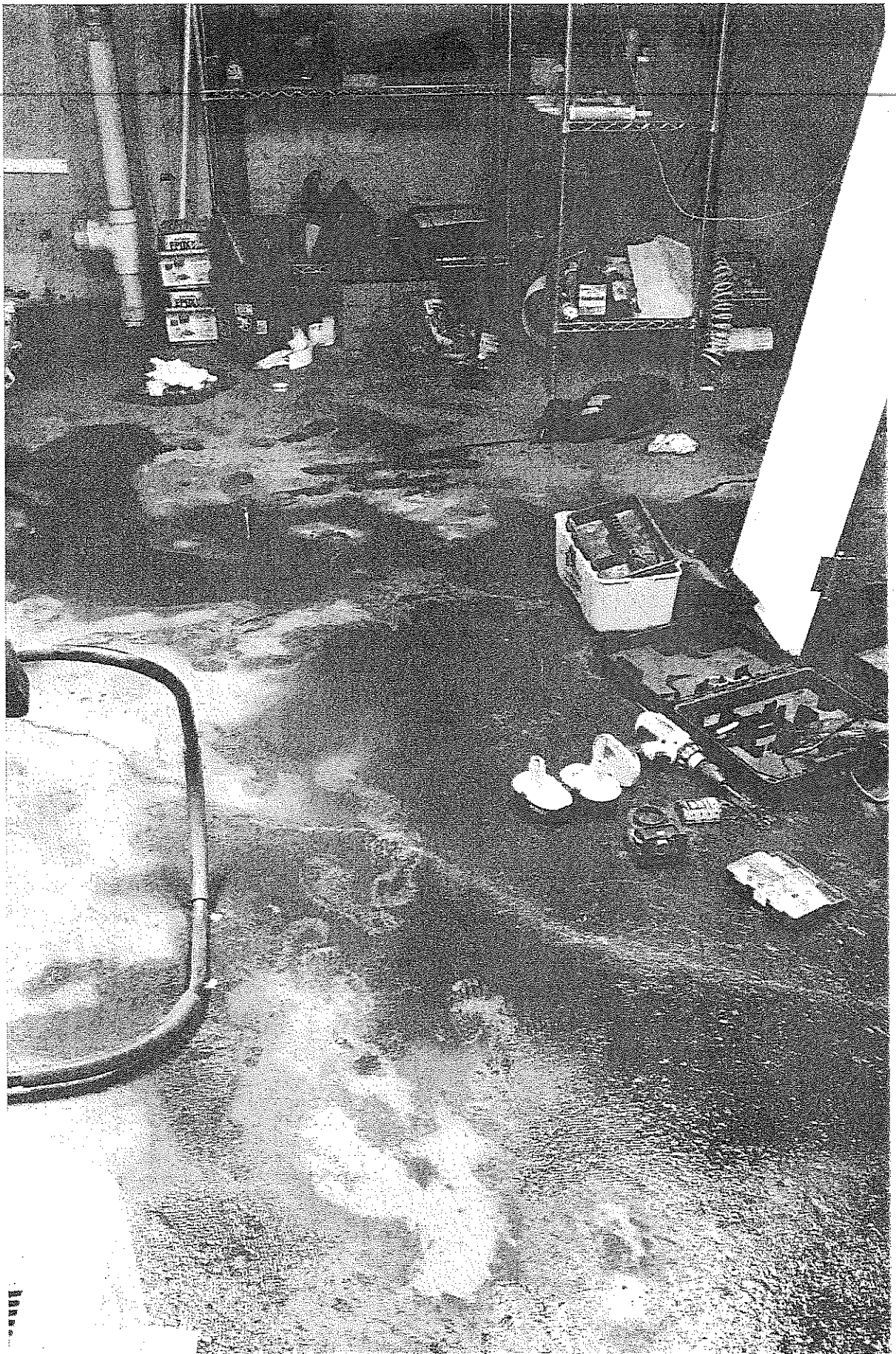
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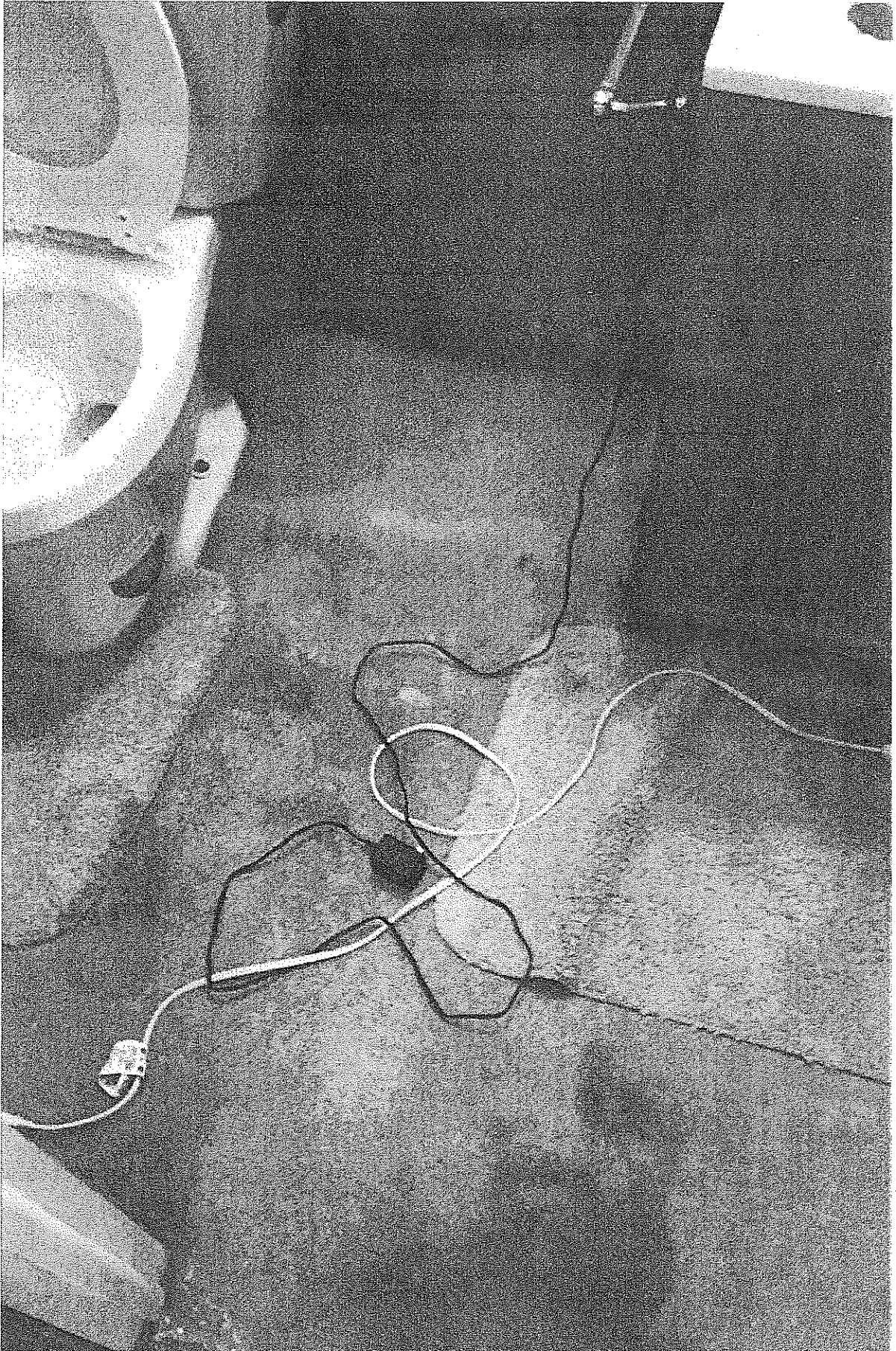
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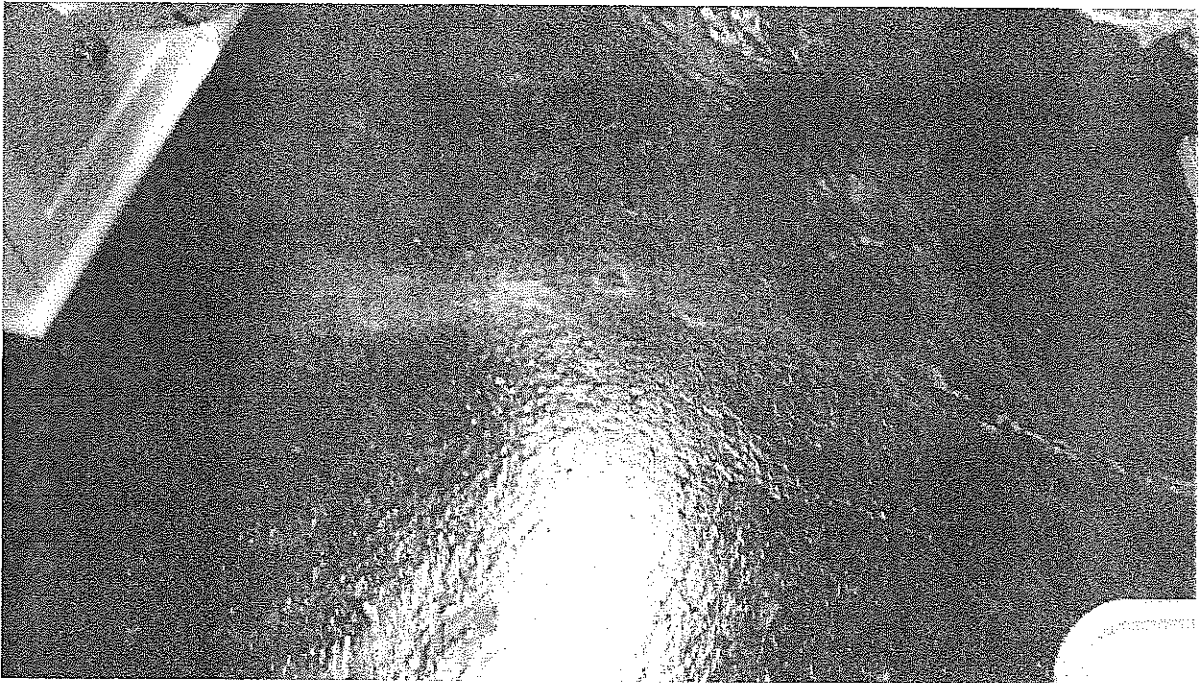
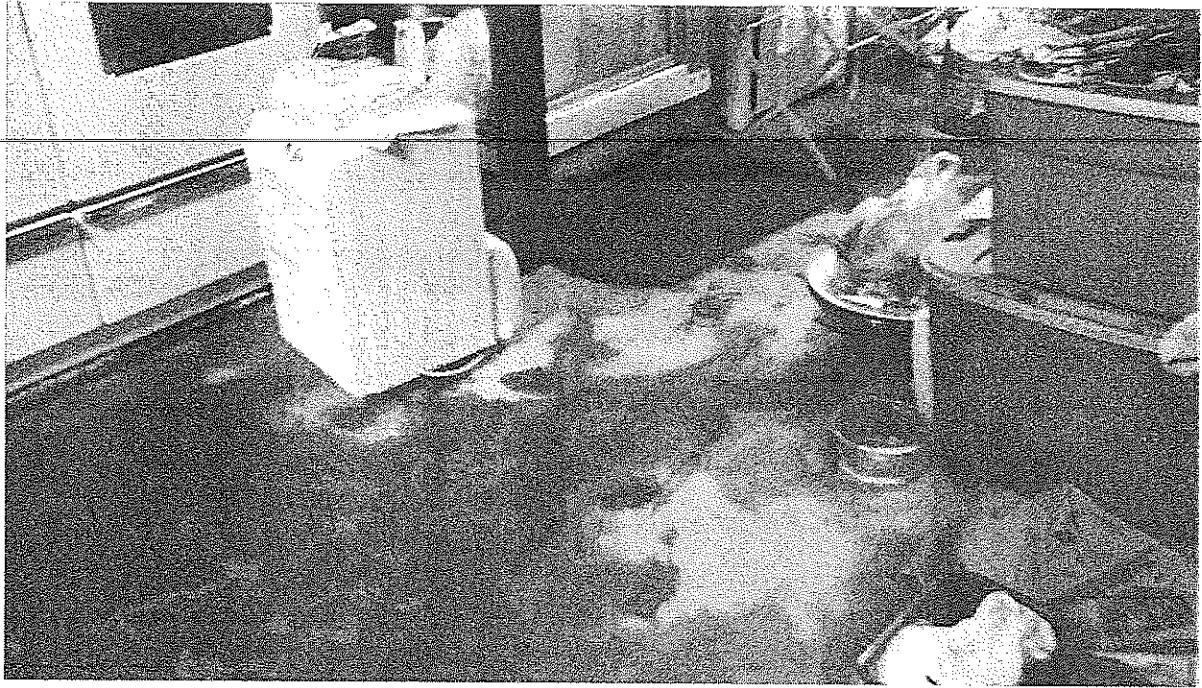


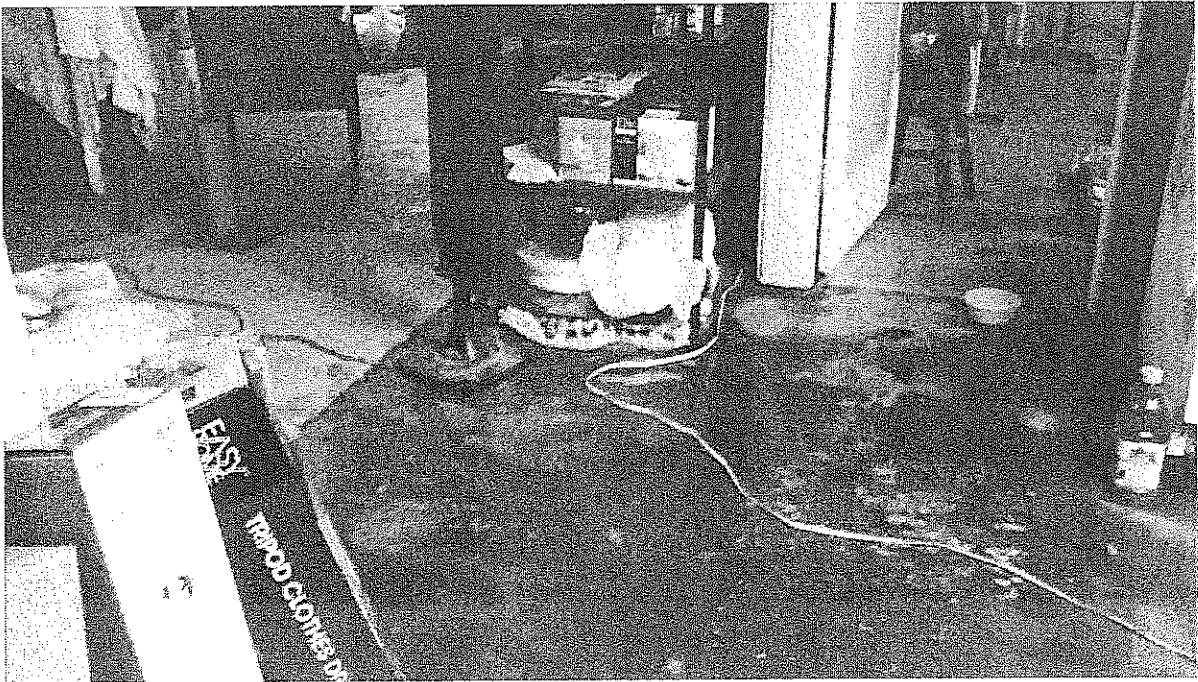
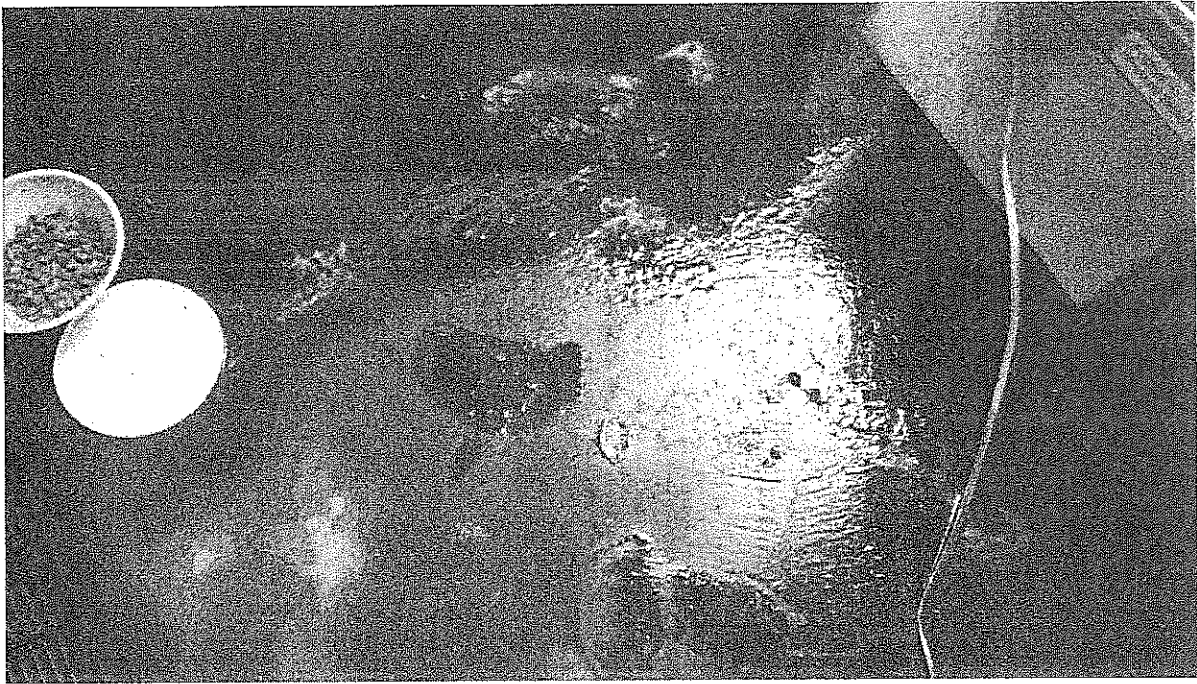


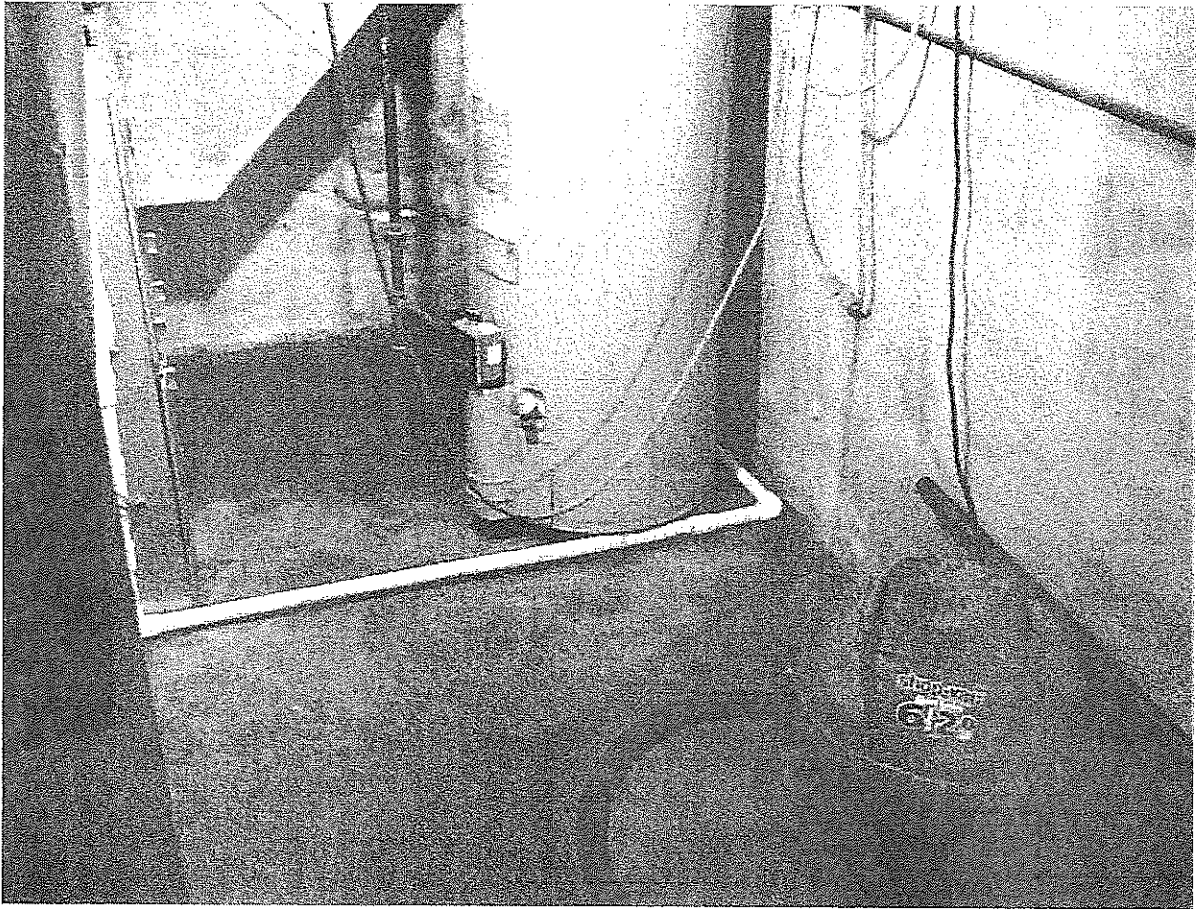
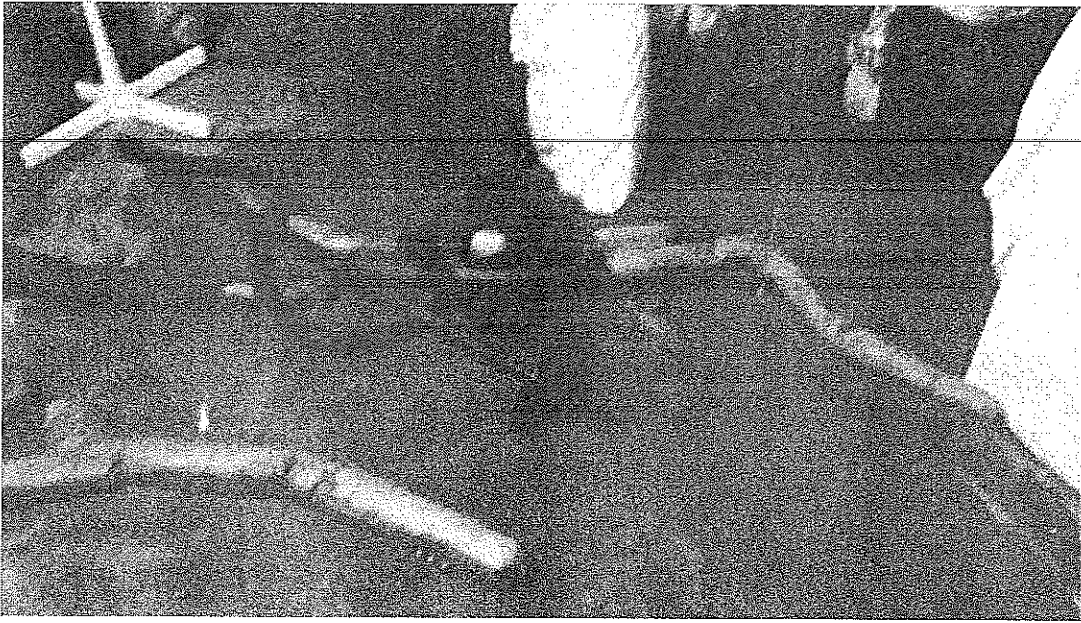


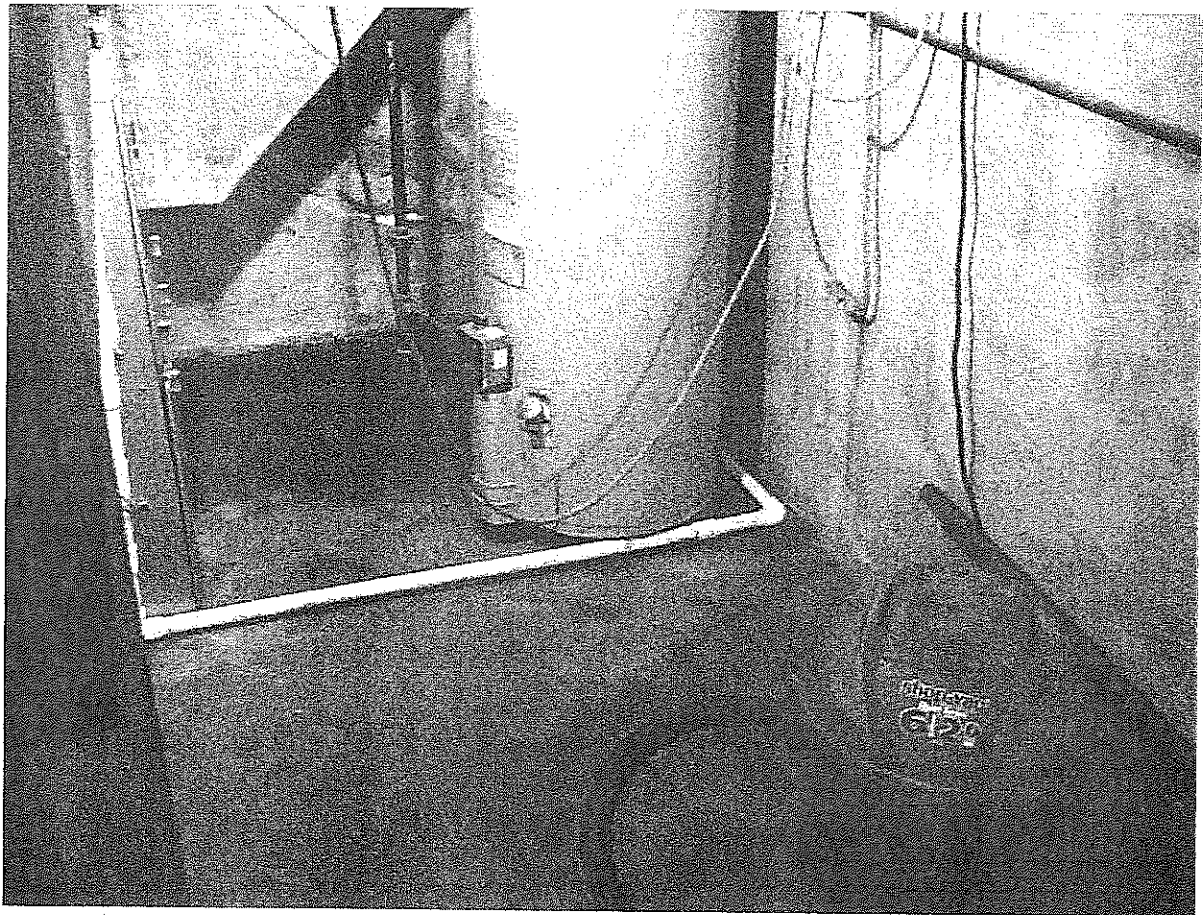


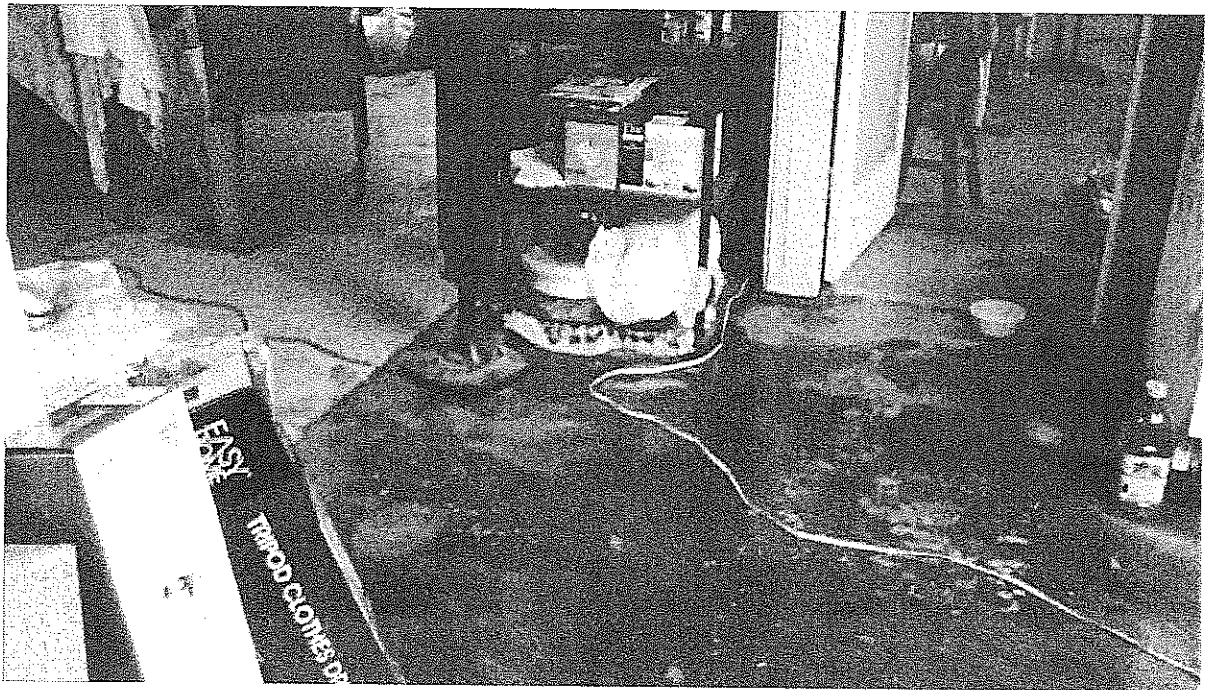
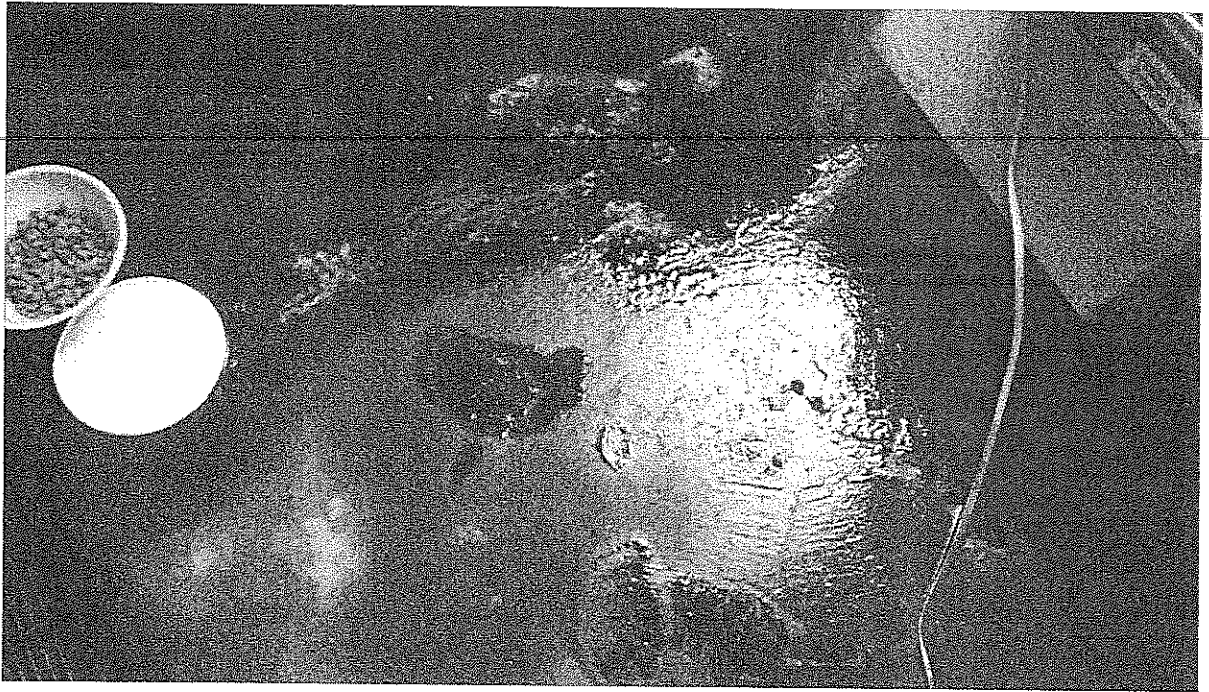


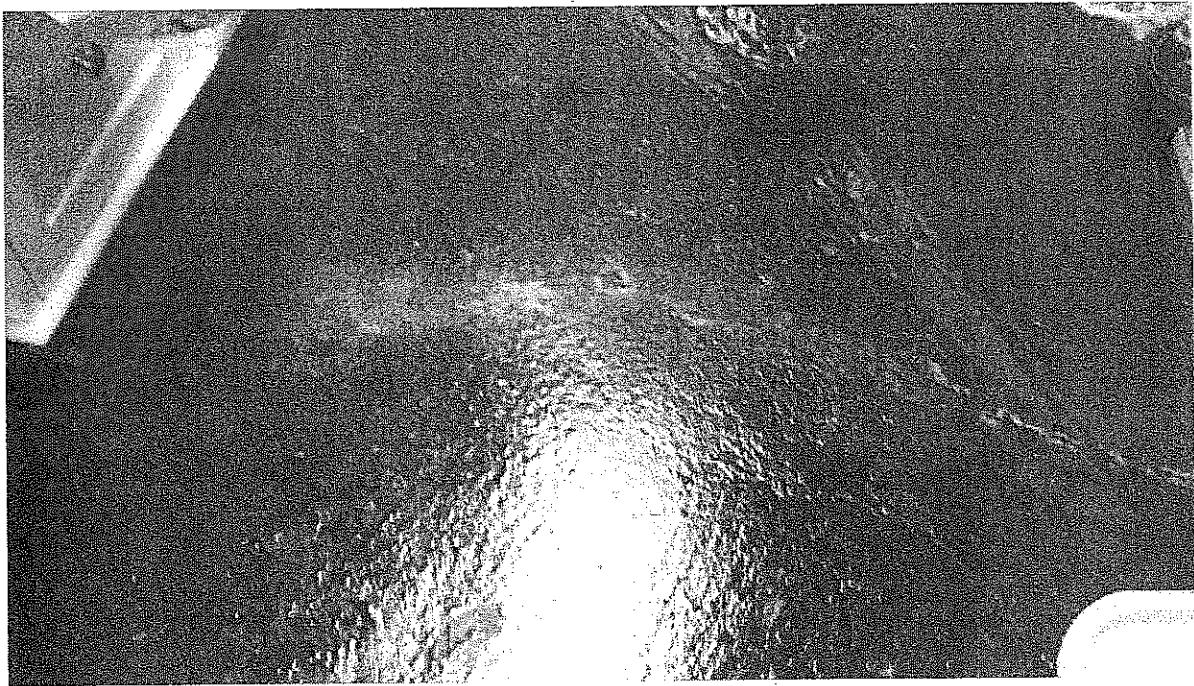
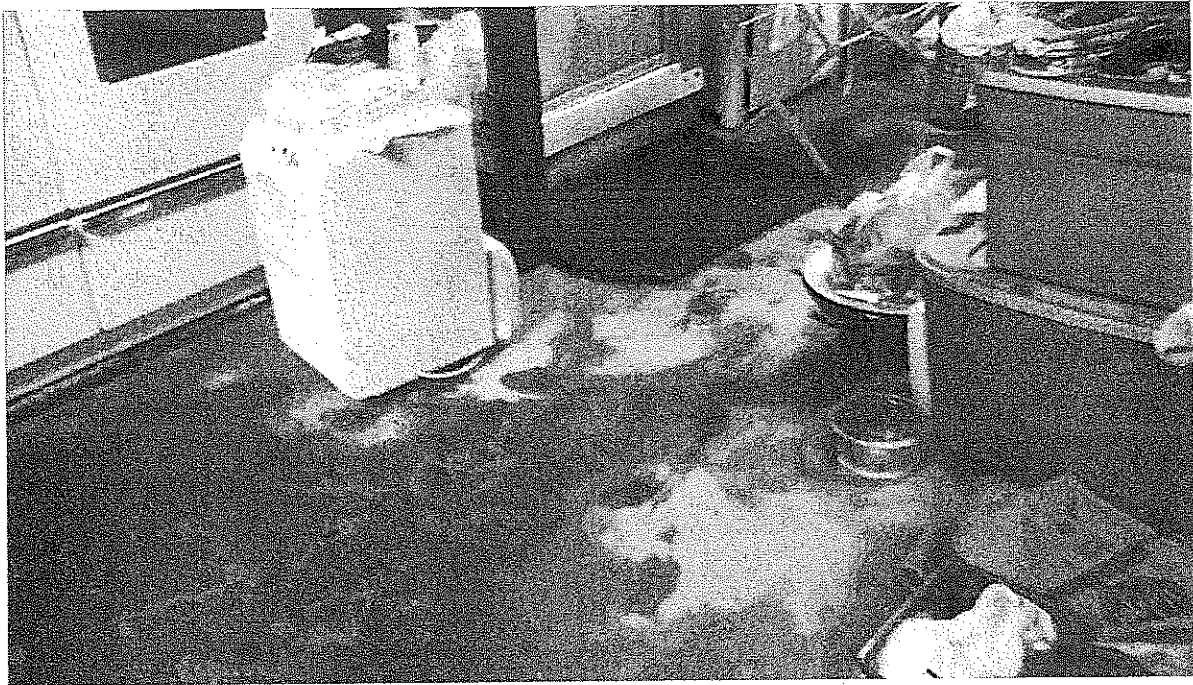


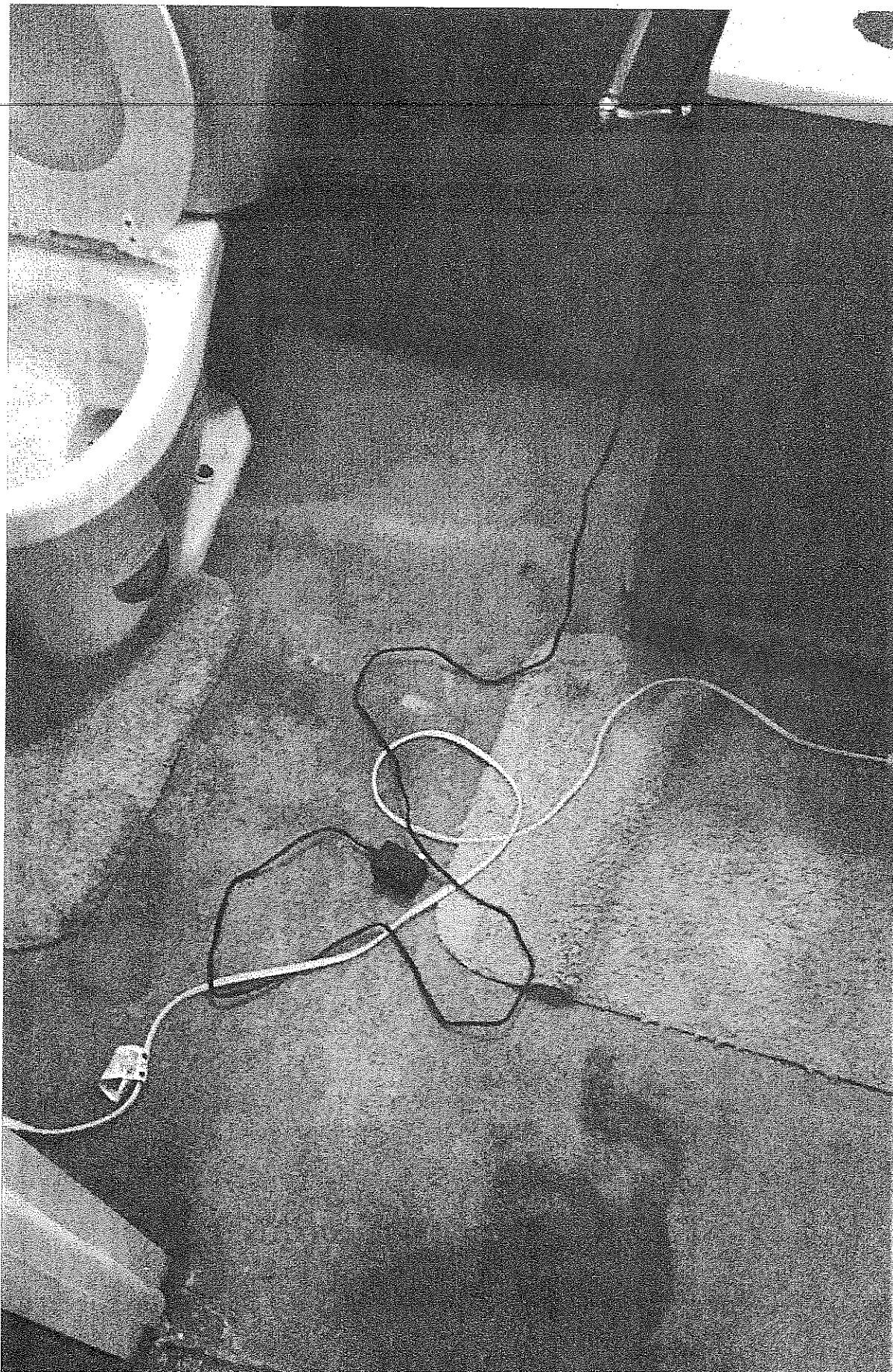


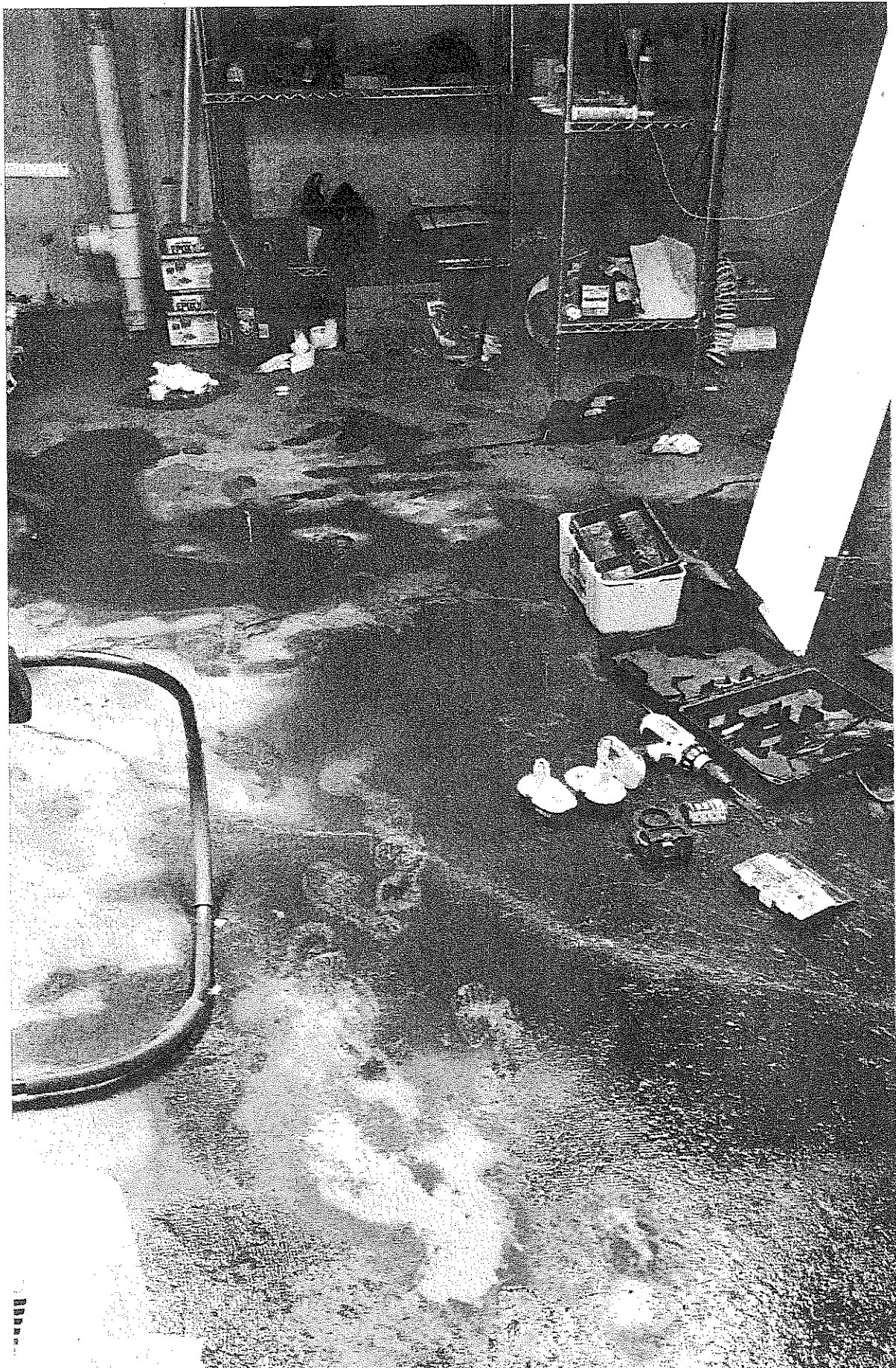


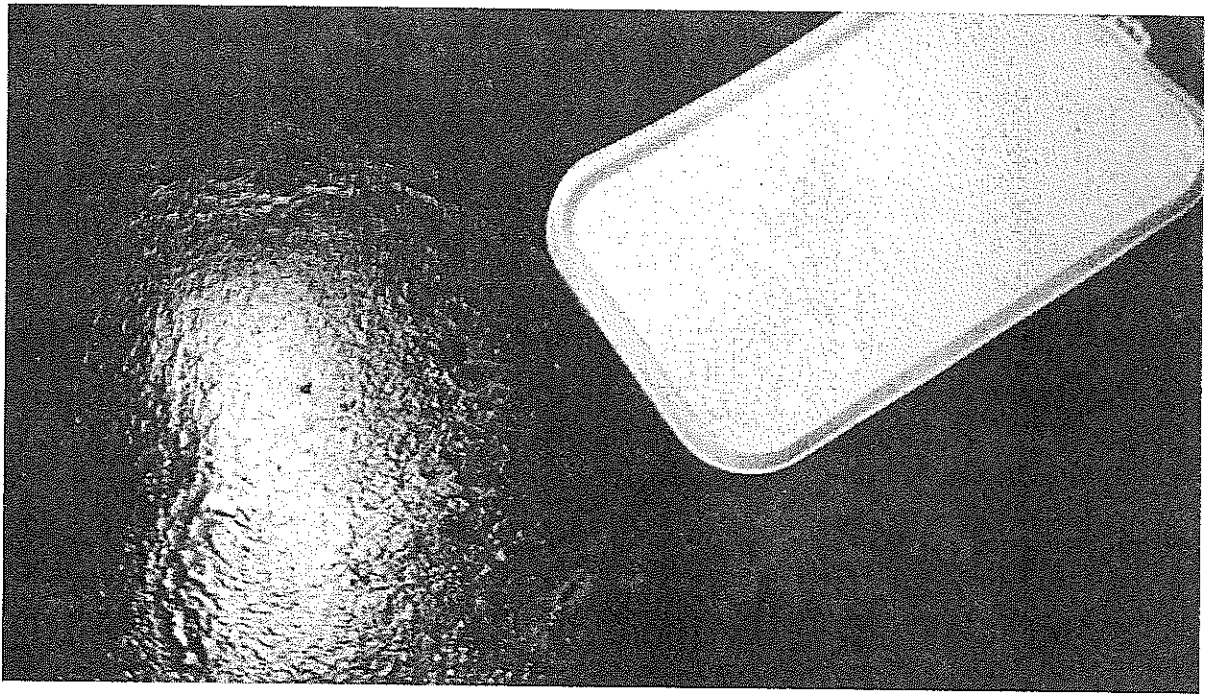
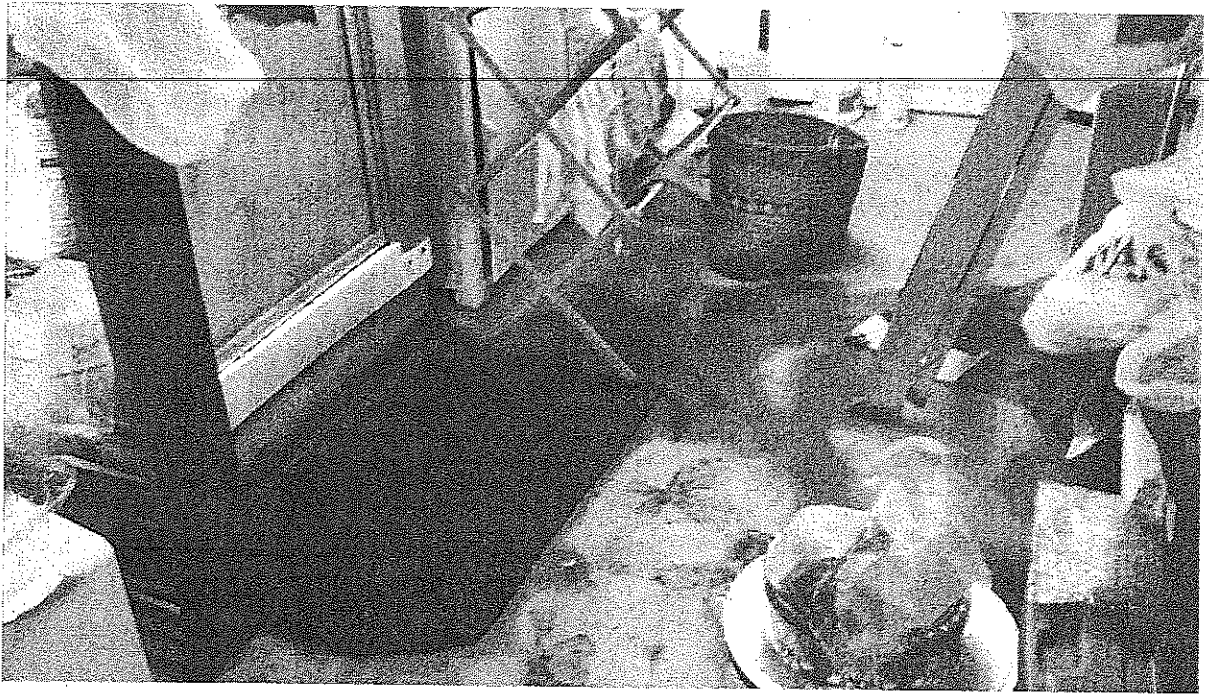














Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Friday, July 31, 2015 4:57 PM
To: Hedman, Susan; Hyde, Tinka; Kaplan, Robert; Maraldo, Dean; Prichard, Gary; Desai, Sudhir; Councilmember Gene Meadows; Kevin E. Johnson; Kevin W.W. Johnson; Rich Saddler; Larry Essman
Subject: Video from home on Shawnee July 14, 2015 sewage backup

This is hard to believe. You must see it. Please refer to Portsmouth City Manager's statements in emails and otherwise that it was clear water and no backups in the 2700 block of Shawnee. This house is four doors from mine.

<http://wegottroublerighthereinrivercity.blogspot.com/2015/07/you-wont-believe-your-eyes.html>

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Friday, July 31, 2015 5:08 PM
To: Desai, Sudhir
Subject: Re: Video from home on Shawnee July 14, 2015 sewage backup

And I still find it hard to believe. She said she heard a rush of water and ran downstairs. She was thankful she was home and that it did not reach her furnace and air conditioner in another room in her basement and both are up on stands.

Jane

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

From: "Desai, Sudhir" <desai.sudhir@epa.gov>
To: Jane Murray <mjanemurray@yahoo.com>
Sent: Friday, July 31, 2015 6:02 PM
Subject: Re: Video from home on Shawnee July 14, 2015 sewage backup

Hi Jane,

Thank you for sharing the information. Seeing is believing.

Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Friday, July 31, 2015 4:57 PM
To: Hedman, Susan; Hyde, Tinka; Kaplan, Robert; Maraldo, Dean; Prichard, Gary; Desai, Sudhir; Councilmember Gene Meadows; Kevin E. Johnson; Kevin W.W. Johnson; Rich Saddler; Larry Essman
Subject: Video from home on Shawnee July 14, 2015 sewage backup

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<http://www.wegottroublerighthereinrivercity.blogspot.com/2015/07/you-wont-believe-your-eyes.html>

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Tuesday, September 01, 2015 2:04 PM
To: Prichard, Gary
Cc: Desai, Sudhir; Larry Essman
Subject: Telemetry equipment required by Facilities Plan, AOC and 208 Operational Plan

Hi Gary:

You no doubt saw my email to the city manager of Portsmouth dated yesterday. I cannot begin to tell you how catastrophic it was for we residents that the city removed the telemetry equipment from the drainage basin site on Grandview Avenue. The neighbor next to the site, Ruth Marasek, told me it was moved from across the street to the site and then it was removed from the site. It was not operational on the site on July 14, 2015 and it was still not there yesterday.

It is obvious to me that the city manager is attempting to play some legal game and not answer our questions as to the location of the equipment.

The equipment was installed in 2010 pursuant to Mr. Bramscher's operational directive dated October 2008. It is shown on the Site Plan submitted by the city to the Agency for compliance with the AOC.

1. Is the city in violation of the AOC by not having the equipment in operation?
2. Can you please send a notification to the city to reinstall the equipment with 15 or 20 days?

The fall rains are approaching and we trust the city with absolutely nothing.

Sincerely,

Jane

M. Jane Murray

www.wegottroublerighthereinrivercity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Monday, September 14, 2015 4:22 PM
To: Prichard, Gary; Desai, Sudhir
Cc: Larry Essman; Ruth Marasek; Robert Forrey
Subject: new parking added to SOMC

Gary and Sudhir:

At a time when U.S. EPA is looking at enforcement with respect to Portsmouth's NPDES Permit and requirements under the AOC, the hospital that has added the huge volumes of storm water and the real creator of the residents sewer backup problems in our neighborhood is denuding a hill in preparation of building more parking uphill from us. How can this happen?

Here is some text and the link:

"We're in the process of building a new parking lot on the west side of our facility along Sherman Road that will be about 200 spaces. This will alleviate congestion in the parking garages and on that side of campus," Clark said. The contractor on this project will be Solid Rock Construction and is slated to be complete in the fall of 2015.

<http://portsmouth-dailytimes.com/news/2253/somc-projects-progressing>

We believe the city may be in violation of the AOC and NPDES permit if they are not requiring the hospital to comply with the city's storm water regulations as well. Since we have gotten no response to our Open Records request from the city manager and since you are the enforcement agency, we are asking that you respond to our concerns prior to the structure being built.

Thank you.

Jane

M. Jane Murray

www.wegottroublerighthereinriverscity.blogspot.com

Desai, Sudhir

From: Jane Murray <mjanemurray@yahoo.com>
Sent: Tuesday, September 15, 2015 12:13 PM
To: Prichard, Gary; Desai, Sudhir
Cc: Councilmember Gene Meadows; Larry Essman; Robert Forrey; Ruth Marasek
Subject: SOMC more parking
Attachments: Southern Ohio Medical Center new parking structure 2015.pdf

Gentlemen:

Attached are photos of the denuding of the hillside where SOMC is building yet more parking. In one photo, you see surface parking adjacent to the site. In another photo, you see a parking structure across the street from the site. Note the slope of the street. It drains to east and the combined sewers and our basements as it did July 14 of this year.

The OH EPA suggested to the city some 15 years ago, and since, that the SOMC storm water drainage be directed to the wooded depression area to the south side of the hospital. But NOTHING was required by the city of the hospital in the way of this plan. The response was that "It's our largest employer."

Now the Strand/city plan which the Agency approved as part of the AOC includes the acquisition of this southern wooded site (which has already occurred) but once again does not plan to require SOMC to retrofit/redirect and current or future impervious surface drainage to this wooded basin. Why was this not required by Barbara Vantil in her tenure on the project? What the heck is being drained to it anyway except the natural drainage that has always drained to it?

We request that you now require the city to direct the hospital's current and all future construction drainage to the wooded basin or otherwise maintain it on site and release at a slow rate that you require. We wish to see construction documents and engineering engineer's certification.

We also request that you require the city/Strand to require retrofitting of the SOMC and Hillview Retirement Center storm water runoff as the July 14, 2015 demonstrates must occur to protect life, health and property of the area residents.

We await your reply.

Sincerely,

Jane Murray

M. Jane Murray

www.wegottroublerighthereinriverscity.blogspot.com

**Southern Ohio Medical Center
September 2015
New Parking Structure Photos**



